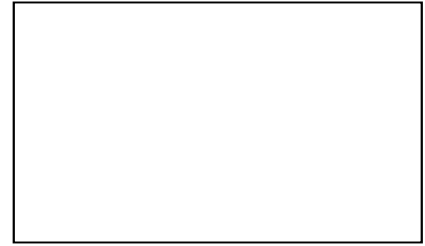




GLOUCESTER CITY COUNCIL CALENDAR OF BUSINESS
TUESDAY, January 27, 2015
7:00 P.M.
KYROUZ AUDITORIUM, CITY HALL
COUNCIL MEETING #2015-002



FLAG SALUTE & MOMENT OF SILENCE
ORAL COMMUNICATIONS
PRESENTATIONS/COMMENDATIONS
CONFIRMATION OF NEW APPOINTMENTS

CONSENT AGENDA

ACTION

- **CONFIRMATION OF REAPPOINTMENTS**
- **MAYOR'S REPORT**
 1. Memorandum from Chief Financial Officer and recent Standard & Poor's report sustaining the City of Gloucester's AA/Stable rating (Info Only)
 2. Special Budgetary Transfer Request (#2015-SBT-31) from Fire Department (Refer B&F)
 3. Special Budgetary Transfer Request (#2015-SBT-32) from Police Department (Refer B&F)
 4. Special Budgetary Transfer Request (#2015-SBT-33) from Police Department (Refer B&F)
 5. Memorandum from Harbormaster and Supplemental Appropriation-Budgetary Request (#2015-SA-19) (Refer B&F)
 6. Memorandum and relevant information from Fire Chief re: acceptance of a FY15 Student Awareness of Fire Education (S.A.F.E.) in the Amount of \$5,023.00 and Senior SAFE Grant in the amount of \$2,995.00 (Refer O&A)
 7. Addendum to Mayor's Report: Appointment of Charles J. Payson, Esquire General Counsel (TTE 02/14/16)
- **COMMUNICATIONS/INVITATIONS**
 1. Responses to Oral Communications of January 13, 2015 City Council Meeting to Kathryn Goodick, Amanda Kesterson, Maria Leaman-Strauss and Peter Cooney re: the water debt shift and increased property taxes (Info Only)
- **INFORMATION ONLY**
- **APPLICATIONS/PETITIONS**
- **COUNCILLORS ORDERS**
 1. CC2015-003(Verga) Any request for any proposed debt "shift" from any enterprise account to the tax levy would require that the City Council schedule a one item agenda for a Special Council Meeting and a duly advertised Public Hearing specifically for said proposal (FCV 02/10/15)
 2. CC2015-004(Whynott) Request Ordinances & Administration review the language of Charter section 8-1 regarding municipal preliminary elections and determine whether to recommend to the Council that the City seek a Special Act to amend the Charter (Refer O&A)
- **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**
 1. City Council Meeting January 13, 2015 (Approve/File)
 2. City Council and Fisheries Commission Joint Meeting January 16, 2015 (Approve/File)
 3. City Council and School Committee Joint Meeting January 22, 2015 (under separate cover) (Approve/File)
 4. Standing Committee Meetings: B&F 01/22/15 (under separate cover), O&A 01/19/15 (no meeting), P&D 01/21/15 (Approve/File)

STANDING COMMITTEE REPORTS

ACTION

B&F 01/22/15, O&A 01/19/15(no meeting), P&D 01/21/15

SCHEDULED PUBLIC HEARING

1. PH2015-006: SCP2014-012: Thatcher Road #78, Map 179, Lot 44, GZO 2.3.1.7 conversion to or new multi-family or apartment dwelling, four to six dwelling units and Sec. 5.7.1 Major Projects (TBC 02/24/15)
2. PH2015-008: SCP2014-014: Pleasant Street #48, Map 14, Lot 20, GZO 2.3.1(6) conversion to 3-unit multi-family; 3.1.6(b) height in excess of 35 feet; 3.2.2 fn(a) decrease in minimum lot area per dwelling; 3.2.2 fn(a) decrease in minimum open space per dwelling unit
3. PH2015-009: SCP2014-015: Centennial Avenue #21, Map 5, Lot 50, GZO 1.10.1(a)(1); 3.1.6(b) height in excess of 35 feet; 2.3.1.7 conversion to or new multi-family or apartment dwelling, four to six dwelling units
4. PH2015-010: Amend GCO Chapter 6, Sec. 6-21 to 6-24 "City-Owned Cemeteries Advisory Committee" by **DELETING** Sec. 6-21 to 6-24 in its entirety and **ADDING** a new Sec. 6-21 to 6-24

FOR COUNCIL VOTE

1. Election of Council Vice President (cont'd from 01/13/15) (FCV)

UNFINISHED BUSINESS

INDIVIDUAL COUNCILLOR'S DISCUSSION INCLUDING REPORTS BY APPOINTED COUNCILLORS TO COMMITTEES

COUNCILLOR'S REQUESTS TO THE MAYOR

ROLL CALL – Councillor Robert Whynott

Linda T. Lowe, City Clerk

Meeting dates are subject to change. Check with City Clerk's Office.

NEXT REGULAR CITY COUNCIL MEETING, February 10, 2015

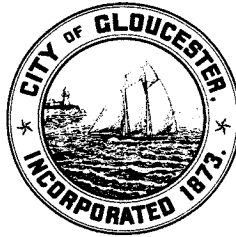
Minutes filed in City Clerk's Office of other Boards and Commissions January 9, 2015 through January 22, 2015:

Board of Assessors 12/04/14, Board of Health 12/04/14, CDBG 12/10/14, Committee for the Arts 12/17/14, Clean Energy Commission 12/10/14, Gloucester Shellfish Advisory Board 12/02/14, Gloucester Redevelopment Authority 01/20/14, Newell Stadium Building Committee 05/14/14, Open Space & Recreation Committee 08/28/14, 10/16/14, 11/20/14, Planning Board 02/06/14, 03/06/14, 03/20/14, 04/03/14, 05/01/14, 06/05/14, 07/17/14, 08/07/14, 11/20/14, School Committee 11/12/14, School Committee Building & Finance 11/19/14, 12/10/14, Tourism Commission 12/15/14, Traffic Commission 11/20/14, West Parish School Interior Sub Committee 05/15/14, 09/18/14, 10/16/14, Board of Assessors 01/08/15, 01/15/15, CDBG 01/14/15, City Hall Restoration Commission 01/12/15

NOTE: The Council President may rearrange the Order of Business in the interest of public convenience.

The listing of matters is those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

City Hall
Nine Dale Avenue
Gloucester, MA 01930



TEL 978-281-9700
FAX 978-281-9738
sthcken@gloucester-ma.gov

CITY OF GLOUCESTER
OFFICE OF THE MAYOR

TO: City Council
FROM: Sefatia Romeo Theken, Mayor
DATE: January 16, 2015
RE: Mayor's Report for the January 27, 2015 City Council Meeting

CITY CLERK
GLOUCESTER, MA
15 JAN 21 PM 3:48

Councilors:

The Mayor's Office is happy to report that a smooth transition has taken place, and we would like to thank the City Council, City employees and the public for their support. This is an exciting time and we are committed to an open dialogue.

In the coming weeks, working alongside my new team, we will put forth initiatives and efficiencies to strengthen the delivery of services in our great City. Many City managers and employees have put forth important proposals that we will share soon.

We look forward to working closely with the City Council and welcome your input as we work together to tackle the important issues that face our City. Please feel free to stop by the Mayor's Office any time to discuss.

For this Mayor's Report, the following matters require your attention and action:

Enclosure 1 for your information is a memorandum from Chief Financial Officer John Dunn, along with the recent Standard & Poor's report sustaining the City of Gloucester's AA/Stable rating.

Enclosure 2 is a Special Budgetary Transfer Request (**#2015-SBT-31**) from the Fire Department. *Please refer #2015-SBT-31 to the Budget and Finance subcommittee for review and approval.* Appropriate City staff will be available to answer questions and provide further information as required.

Enclosure 3 is a Special Budgetary Transfer Request (**#2015-SBT-32**) from the Police Department. *Please refer #2015-SBT-32 to the Budget and Finance subcommittee for review and approval.* Appropriate City staff will be available to answer questions and provide further information as required.

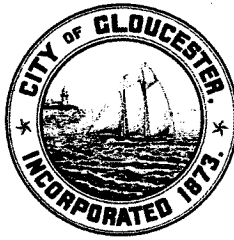
Enclosure 4 is a Special Budgetary Transfer Request (**#2015-SBT-33**) from the Police Department. *Please refer #2015-SBT-33 to the Budget and Finance subcommittee for review and approval.* Appropriate City staff will be available to answer questions and provide further information as required.

Enclosure 5 is a memorandum from Harbormaster Jim Caulkett and a Supplemental Appropriation-Budgetary Request (**#2015-SA-19**). *Please refer this matter and #2015-SA-19 to the Budget and Finance subcommittee for review and approval.* Jim Caulkett and members of the Waterways Board will be available to answer questions and provide further information as required.

Enclosure 6 is a memorandum and relevant information from Fire Chief Eric Smith requesting City Council acceptance of a FY2015 Student Awareness of Fire Education (S.A.F.E.) in the amount of \$5,023.00 and a Senior SAFE Grant in the amount of \$2,995.00. *Please refer this matter to the Budget and Finance subcommittee for review and approval.* Chief Smith, or his designee, will be available to answer questions and provide further information as required.


ENCLOSURE 1

City Hall
Nine Dale Avenue
Gloucester, MA 01930



TEL 978-281-9707
FAX 978-281-8472
jdunn@gloucester-ma.gov

CITY OF GLOUCESTER
OFFICE OF THE TREASURER/COLLECTOR

To: Sefatia Romeo Theken, Mayor
From: John P. Dunn, CFO 
Date: January 21, 2015
Re: Standard & Poor's Rating Services

As you know, the City will be taking bids from financial institutions on the purchase of approximately \$9.0 million in new and refunded debt during the last week in January. While there is a tremendous amount of preparation work that precedes the issuance of debt, one of the most important functions is the "ratings call" with one of the national credit ratings agencies.

Our ratings call for the upcoming issue took place last Thursday afternoon. In an almost hour long conversation with Apple Lo, the Boston based analyst for Standard and Poor's, we (CAO James Destino, City Auditor Kenny Costa, Community Development Director Tom Daniel and I) made the case for the continued "AA" rating that the City has had for a number of years. We touched on recent past, current and future financial performance, economic development projects and their future impact and the overall stability of city management.

One important, and potentially awkward, subject was the recent changes in the Mayor's office. Mr. Destino did an excellent job describing your backgrounds and the cumulative many years of service on the City Council along with extensive experience in the review of the annual operating budgets and the many capital projects vetted and approved over the past ten plus years.

I am happy to inform you that Standard & Poor's did in fact issue a report sustaining the City's AA/Stable rating. I have attached a copy of their report.

Please let me know if you have any questions on this matter.

RatingsDirect®

Summary:

Gloucester, Massachusetts; General Obligation; Non-School State Programs

Primary Credit Analyst:

Apple Lo, Boston (1) 617-530-8316; apple.lo@standardandpoors.com

Secondary Contact:

Timothy J Daley, Boston (1) 617-530-8121; timothy.daley@standardandpoors.com

Table Of Contents

Rationale

Outlook

Related Criteria And Research

Summary:

Gloucester, Massachusetts; General Obligation; Non-School State Programs

Credit Profile

US\$9.082 mil go mun purp loan bnds ser 2015 due 02/01/2034

<i>Long Term Rating</i>	AA/Stable	New
Gloucester GO		
<i>Long Term Rating</i>	AA/Stable	Affirmed
Gloucester GO non-school state prog		
<i>Long Term Rating</i>	AA/Stable	Affirmed
<i>Unenhanced Rating</i>	NR(SPUR)	
<i>Underlying Rating for Credit Program</i>	AA/Stable	Affirmed

Rationale

Standard & Poor's Ratings Services has assigned its 'AA' long-term rating and stable outlook to City of Gloucester, Mass.' Series 2015 general obligation (GO) bond municipal purpose loan.

At the same time, Standard & Poor's affirmed its 'AA' long-term and underlying ratings on the city's existing GO debt. The outlook on all ratings is stable.

The city's full-faith-and-credit pledge secures the bonds. We understand that officials will use proceeds to fund various capital improvements and to refund a portion of Gloucester's debt outstanding.

The rating reflects our assessment of the following factors for Gloucester:

- A very strong economy, which benefits from participation in the broad and diverse economy of Boston;
- Strong budgetary flexibility, with available reserves at or above 8% of general fund;
- Strong budgetary performance, with consistent operating results in the general fund and total governmental funds;
- Very strong liquidity, providing very strong cash levels to cover both debt service and expenditures;
- Adequate management conditions, with standard policy and practices; and
- Adequate debt and contingent liability position, driven mostly by the city's high pension and other postemployment benefits liabilities (OPEB).

Very strong economy

We consider Gloucester's economy to be very strong, with access to Boston's broad and diverse economy in Essex County. Traditionally, county unemployment has tracked lower than that of the state and the nation; county unemployment averaged 7.5% in 2013. Gloucester has per capita incomes that reflect residents to access jobs in the neighboring areas. It has projected per capita effective buying income of 132% of the U.S. Per capita market value for the city is what we consider very strong at \$185,000 in fiscal 2015. Fiscal 2015's assessed value is \$5.3 billion, a 3%

increase from fiscal 2014.

Strong budget flexibility

In our opinion, the city's budgetary flexibility remains strong, with available reserves above 8% of expenditures for the past several years, and Gloucester has no plans to significantly spend down the reserves. Fiscal 2014's unaudited results showed available reserves at \$9.6 million (9.4% of expenditures), which is a small decline from 2013 due to higher-than-budgeted snow and ice spending. The city budgeted to use \$1.45 million free cash in fiscal 2015. Although management does not expect the fund balance to decline by the same level, if there were a drawdown, the city's budgetary flexibility would remain strong.

Strong budgetary performance

Gloucester's budgetary performance has been strong overall, in our view, with an operating deficit of 0.6% in the general fund and 0.7% in the total governmental fund in fiscal 2013. About 62% of the city's revenues are from property tax, and 22% from intergovernmental aid. Officials estimated to end fiscal 2014 with a 0.7% operating deficit in the general fund and potentially a deficit of 1% in total governmental funds when including all nonrecurring expenditures. Management adopted a balanced general fund budget for 2015 with about \$1.45 million in free cash appropriation to cover salary increase; management represented that the year-to-date result showed positive variances in the revenues. Officials hope to regenerate the majority amount of the appropriation to keep performance in line with the previous year.

Very strong liquidity

Supporting Gloucester's finances is what we consider to be very strong liquidity, with total government available cash as a percent of total governmental fund expenditures at 14% and as a percent of debt service at 223%. We believe the city has strong access to external liquidity. It has issued GO bonds and bond anticipation notes frequently in the past 15 years.

Adequate management

Standard & Poor's considers Gloucester's financial management practices "standard" under its Financial Management Assessment methodology, indicating the finance department maintains adequate policies in most, but not all, key areas. Highlights include frequent budget monitoring and reports to city officials, an investment policy guided by state statute with frequent reports on performances, and a capital improvement plan that is updated annually and shared with officials. The city's mayor has resigned lately to work for the new governor; the interim mayor is a long-term city councilor and has no plan to drastically change Gloucester's policies and practices.

Adequate debt and contingent liability profile

In our opinion, Gloucester's debt and contingent liability profile is adequate, with total governmental fund debt service as a percent of total governmental fund expenditures at 6%, and with net direct debt as a percent of total governmental fund revenue at 80%. We consider overall net debt to be low, at 2% of market value. The city might issue an additional \$20 million in debt of elementary school construction and general improvements in the next two years.

Gloucester's pension plan has an unfunded accrued actuarial liability (UAAL) of nearly \$98 million and it was 45% funded as of January 2014. The city fully funded the annual required contribution (ARC) in 2013, which totaled more

than \$6 million and has been rising in recent years. The city's large unfunded OPEB liabilities are a long-term credit consideration. Although Gloucester has established a trust to lower the liability, we believe there remain considerable challenges in its capacity to fully fund the ARC. As of June 30, 2011, the UAAL was more than \$200 million. Combined pension cost and OPEB pay-as-you-go contributions were 11% of total governmental funds expenditures in fiscal 2013 and we believe costs will continue to rise.

Strong Institutional Framework

We consider the Institutional Framework score for Massachusetts municipalities strong.

Outlook

The stable outlook reflects what we view as Gloucester's very strong economy and liquidity. We do not expect to change the rating within our two-year outlook horizon due to our expectation that the city will maintain strong budget flexibility and financial performance. A consideration of a positive rating action over time would require further actions to mitigate the effects of Gloucester's long-term liabilities. While unlikely, significant declines in the city's financial performance and flexibility, caused by rising pension and OPEB costs, could pressure the rating downward.

Related Criteria And Research

Related Criteria

- SPF Criteria: Local Government GO Ratings Methodology And Assumptions, Sept. 12, 2013

Related Research

- S&P Public Finance Local GO Criteria: How We Adjust Data For Analytic Consistency, Sept. 12, 2013
- Institutional Framework Overview: Massachusetts Local Governments

Complete ratings information is available to subscribers of RatingsDirect at www.globalcreditportal.com. All ratings affected by this rating action can be found on Standard & Poor's public Web site at www.standardandpoors.com. Use the Ratings search box located in the left column.

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ENCLOSURE 2

**City of Gloucester
Special Budgetary Transfer Request
Fiscal Year 2015**

INTER-departmental requiring City Council approval - 6 Votes Required
X INTRA-departmental requiring City Council approval - 6 Votes Required

TRANSFER # 2015-SBT- <u>31</u> Auditor's Use Only

DEPARTMENT REQUESTING TRANSFER: _____

FIRE DEPARTMENT

DATE: 1/12/2015 BALANCE IN ACCOUNT: \$ 22,275.52

(FROM) PERSONAL SERVICES ACCOUNT # _____

Unifund Account #

(FROM) ORDINARY EXPENSE ACCOUNT # _____

Unifund Account #

101000.10.220.52470.0000.00.000.00.052

FIRE DEPARTMENT, VEHICLE MAINT

Account Description

DETAILED EXPLANATION OF SURPLUS: _____

(TO) PERSONAL SERVICES ACCOUNT # _____

Unifund Account #

(TO) ORDINARY EXPENSE ACCOUNT # _____

Unifund Account #

101000.10.220.58720.0000.00.000.00.058

FIRE DEPARTMENT, REPLACE AUTOMOBILES

Account Description

DETAILED ANALYSIS OF NEED(S): TO PURCHASE USED PUMP.


TOTAL TRANSFER AMOUNT: \$ 5,000.00

NEW BALANCE IN ACCOUNTS AFTER TRANSFER

FROM ACCOUNT: \$ 17,275.52

TO ACCOUNT: \$ 5,000.00

APPROVALS: 

DEPT. HEAD: 

DATE: 1/12/2015

ADMINISTRATION: 

DATE: 1/21/2015

BUDGET & FINANCE: _____

DATE: _____

CITY COUNCIL: _____

DATE: _____

ENCLOSURE 3

**City of Gloucester
Special Budgetary Transfer Request
Fiscal Year 2015**

☐ INTER-departmental requiring City Council approval - 6 Votes Required
☒ INTRA-departmental requiring City Council approval - Majority Vote Required

TRANSFER # 2015-SBT- 32 Auditor's Use Only

DEPARTMENT REQUESTING TRANSFER: _____

Police

DATE: 12/31/2014 BALANCE IN ACCOUNT: \$ 3,500.00

(FROM) PERSONAL SERVICES ACCOUNT #

Unifund Account #

101000.10.211.51490.0000.00.000.00.051

(FROM) ORDINARY EXPENSE ACCOUNT #

Unifund Account #

Police-Uniform, Specialty Positions Stipend

Account Description

DETAILED EXPLANATION OF SURPLUS:

2 Officers elected to take comp time instead of the stipend.

(TO) PERSONAL SERVICES ACCOUNT #

Unifund Account #

(TO) ORDINARY EXPENSE ACCOUNT #

Unifund Account #

101000.10.211.55010.0000.00.000.00.052

Police-Uniform, Safety Supplies/Equip

Account Description

DETAILED ANALYSIS OF NEED(S):

Purchase 4 portable kenwood radios for Police Department new recruits.

TOTAL TRANSFER AMOUNT: \$ 3,500.00

NEW BALANCE IN ACCOUNTS AFTER TRANSFER

FROM ACCOUNT: \$ -

TO ACCOUNT: \$ 4,747.73

APPROVALS:

DEPT. HEAD:

ADMINISTRATION:

BUDGET & FINANCE:

CITY COUNCIL:

DATE: 12/31/14

DATE: 1/20/2015

DATE: _____

DATE: _____

ENCLOSURE 4

**City of Gloucester
Special Budgetary Transfer Request
Fiscal Year 2015**

____ INTER-departmental requiring City Council approval - 6 Votes Required
____x____ INTRA-departmental requiring City Council approval - Majority Vote Required

TRANSFER # 2015-SBT- 33 Auditor's Use Only

DEPARTMENT REQUESTING TRANSFER: _____

Police

DATE: 12/31/2014 BALANCE IN ACCOUNT: \$ 1,658.40

(FROM) PERSONAL SERVICES ACCOUNT #

Unifund Account #

101000.10.211.51400.0000.00.000.00.051

(FROM) ORDINARY EXPENSE ACCOUNT #

Unifund Account #

Police-Uniform, Sal/Wage-Longevity

Account Description

DETAILED EXPLANATION OF SURPLUS:

Officer Johnsen passed away October 2014 longevity pro rated surplus left.

(TO) PERSONAL SERVICES ACCOUNT #

Unifund Account #

(TO) ORDINARY EXPENSE ACCOUNT #

Unifund Account #

101000.10.211.55010.0000.00.000.00.052

Police-Uniform, Safety Supplies/Equip

Account Description

DETAILED ANALYSIS OF NEED(S):

Purchase 4 portable kenwood radios for Police Department new recruits.

TOTAL TRANSFER AMOUNT: \$ 1,658.40

NEW BALANCE IN ACCOUNTS AFTER TRANSFER

FROM ACCOUNT: \$ -

TO ACCOUNT: \$ 6,406.13

APPROVALS:

DEPT. HEAD:

ADMINISTRATION:

BUDGET & FINANCE:

CITY COUNCIL:

DATE: 12/31/14

DATE: 1/21/2015

DATE: _____

DATE: _____

ENCLOSURE 5

Nineteen Harbor Loop
Gloucester, MA 01930



TEL 978-282-3012
FAX 978-281-4188
jcaulkett@gloucester-ma.gov

CITY OF GLOUCESTER
HARBORMASTER'S OFFICE

Memorandum

From: Jim Caulkett, Harbormaster
To: Mayor Sefatia Romeo Theken
Date: January 13, 2015
Subject: Waterways Enterprise Retained Earnings

Mayor Theken,

In your next Mayor's Report to Council will you include the following Waterways Board request;

The transfer of \$35,000.00 from the Waterways Enterprise Retained Earnings into Waterways Enterprise Account 700000.10.492.52000 Contracted Services for the purpose of completing a Harbormaster Department Management Review as outlined in the attached quote.

If you have any further questions please feel free to contact me.

Respectfully

January 12, 2015

Mr. Ralph Pino, Esq. – Chariman, Gloucester Waterways Board
Mr. James Caulkett – Gloucester Harbormaster
19 Harbor Loop
Gloucester, MA 01930

Re: Harbormaster Department Management Review

Ref: "Harbormaster Department Management Review", provided by J. Caulkett dated 12/5/14
City of Gloucester Waterways Board "Policies, Rules and Regulations Governing Gloucester's Waterways and Public Waterfront Facilities" as of May 20, 2014

Dear Mr. Pino and Mr. Caulkett,

In response to your request and as a follow up to my meeting with Mr. Anthony Gross and Mr. Ralph Pino on December 11th, CLE Engineering, Inc. is pleased to submit this proposal for services related to the above referenced project. CLE understands that the Waterways Board is interested in obtaining a management review of the Harbormaster Department (Department) in order to accomplish the following:

- ✓ *To identify any areas which hinder or prevent the Harbormaster Department from performing its assigned responsibilities, goals or objectives and to offer suggestions for the removal of such obstacles and to suggest ways in which the responsibilities, goals or objectives might better be met;*
- ✓ *To evaluate the adequacy of management practices being utilized in the Harbormaster Department with respect to fiscal controls and use of available personnel and equipment;*
- ✓ *To suggest specific ways and means by which the functions and services of the Harbormaster Department might be improved.*

CLE proposes to work with you and the Waterways Board in consideration of the above goals to develop a report detailing findings and recommendations for the Harbormaster Department. As such, CLE proposes the following specific scope of services:

Task 1 – Review Existing Conditions/Practices/Policies/Procedures

CLE will review existing practices and procedures within Department related to the following:

- (i) Organization, staffing and manpower
 - a. Training of employees: knowledge of current laws and regulations
 - b. Hiring process
 - c. Identified daily tasks and routines; tracking and accountability
- (ii) Patrols
 - a. Frequency, scope, specific waterway areas, documentation of findings, etc.

- (iii) Mooring management, assignment of moorings, mooring inspection process
 - ✓ Database of moorings
 - ✓ Management of waitlist
 - ✓ Process for reassignment
 - ✓ Maximization of mooring fields
 - ✓ Inspection verification
- (iv) Safety
 - a. no wake enforcement
 - b. disabled boat towing: identify and compare policy vs. practice
- (v) Customer relations
 - a. hours of operation when office is open to the public
 - b. application of rules and regulations
 - c. Public Relations/Perception/Outreach and Standards for Department Public Interaction
- (vi) Adequacy of financial controls (receipts: record-keeping, reconciling, filing, chain of custody)
 - a. launch ramp
 - b. launch
 - c. transient moorings, etc.
 - d. cash receipt process/audit trail and procedures
 - e. mooring wait list
 - f. permit renewals
- (vii) Inspections of facilities, public landings, commercial marinas, Harbormaster facility, and equipment;
 - a. Frequency, by whom, records of inspections, maintenance and housekeeping, budget process for inspections and maintenance
- (viii) Integration and Use of technology, e.g. mooring database, website content management, credit card
 - a. Payment option(s), social media (YouTube, Facebook, Twitter, Instagram), public communication, marketing, etc.
- (ix) Website
 - a. Existing information
 - b. Frequency of updates
 - c. Use for marketing
- (x) Goals identified within Department both long and short range

In order to gather data and information on all of the above items, CLE will perform interviews with the following personnel as discussed during my December 11th meeting:

- a. Nine Waterways Board Members
- b. Harbormaster

- c. Senior Clerk in Office of Harbormaster
- d. Assistant Harbormasters (Jim Marshall, Art Munroe, Chad Johnson)
- e. Members of the waterfront community identified by the Waterways Committee and/or Harbormaster including but not limited to Joe Borland and Phil Cusumano (up to three interviews).
- f. Harbormasters of other communities (up to six phone or in person interviews)

Prior to conducting interviews, CLE will develop a list of pre-defined questions. Interviews may be partially or wholly documented electronically to allow for proper and accurate reporting and referenced findings.

To further understand and assess existing procedures and management practices, CLE will spend 2 to 3 days in the Harbormaster Department reviewing databases, files, systems, etc. During this time, CLE will also visit facilities that have a fee collection component. (refer to Proposed Manhours / Budget for additional details).

Based on my initial meeting referenced above regarding this project, I understand that one of the underlying goals of this engagement and subsequent reporting, among other tasks as outlined herein would be to seek out opportunities to market Gloucester as a transient port for recreational boaters and to provide insight into possible prospects that may exist through Boating Infrastructure Grant(s). CLE will include a review of existing marketing practices as well as and recommendations based on the other harbormaster interviews and CLE experience in other communities.

Task 2 –Development of Findings / Recommendations / Report Presentation

CLE will compile the information obtained during execution of Task 1 and will develop a draft summary of findings and recommendations. CLE will meet with the Waterways Board and Harbormaster to review a draft list findings and recommendations. CLE will solicit input and comments for incorporation into the report.

CLE will prepare a report of the Management of Harbormaster Department that will include the following:

- (i) Introduction – a brief explanation of methods used;
- (ii) Scope – a statement of the extent of the examination made;
- (iii) Major Contacts – a listing of the names of all persons interviewed in the conduct of the review and an outline of the procedures used;
- (iv) Findings – Details of the practices found during the review, which in the opinion of CLE's review team, require modification or other change in order to strengthen and improve the Harbormaster Department and its performance;
- (v) Recommendations – specific suggestions for action/implementation by the Harbormaster Department.

CLE will meet with the Waterways Board and Harbormaster to present the final report via a Powerpoint presentation which will outline the report. CLE will provide the report in both digital (PDF) and paper format.

CLE Team Approach:

CLE has been successfully providing waterfront engineering services to harbormaster departments throughout Massachusetts for over 25 years. Through these relationships and experiences, CLE has developed a vast database/network and understanding of challenges of Departments as well as a knowledgeable understanding of local agency structure and dynamics as CLE has been working with local agencies for decades on both technical and non-technical challenges. These experiences combined with CLE's operational expertise. We have assisted several communities with development and updates to waterways rules and regulations. CLE routinely provides inspections of waterfront infrastructure and develops plans for maintenance and improvements. We will incorporate our expertise in the development of the Harbormaster Department Management Review Report.

CLE proposes utilization of senior staff for key roles in this project to provide the Waterways Board with benefits of knowledge garnered from over 20 years in the waterfront industry. As Project Manager for this project, I intend to conduct all of the interviews, conduct site visits and attend meetings with Waterways Board as outlined herein. I have also included an additional resource, Carey Parent, whose background is operational controls and analysis. He is a principal with CLE and brings over 25 years of hands on operational, audit and efficiencies analysis and reporting. His resume includes both program and project management for small and large waterfront communities and he has recently completed several successful maritime facilities capital improvement bond projects. With his background also grounded in operations and facilities management, his insight and reporting on opportunities for the Harbormasters Department will enhance CLE's overall recommendations and our deliverable report.

Proposed Man-hours / Budget:

<u>Task 1 – Review Existing Conditions/Practices/Policies/Procedures</u>	Total Manhours	Total Budget
Review of existing information (regulations, mooring lists, fee collection, office operations, record keeping, training, hiring, daily tasks, etc.); Assume 2 to 3 days in Harbormaster Office - scheduled to partially coincide with interviews	48	\$7,200
Development of interview questions / set up database for responses;	6	\$900
Schedule and perform interviews in Gloucester; site visits to facilities where user fees are collected	40	\$6,000
Harbormaster Interviews (6 total; mix of phone and in person); review of Massachusetts Harbormasters Association resources	12	\$1,800
Compilation and review of interview data	20	\$2,400
Assessment of technology, marketing tools, communication, mooring databases, fee collection systems, receipt tracking, etc.	36	\$4,200
Task 1 Subtotal:	162	\$22,500

Task 2 –Development of Findings / Recommendations / Report Presentation

Development of Recommendations	10	\$1,470
Draft Summary of Findings and Recommendations; meeting with Waterways Board to review	12	\$1,800
Development of Final Report and Powerpoint Presentation and meeting with Waterways Board to present report	58	\$7,850

Task 2 Subtotal: 80 \$11,120

Reimbursable Expenses: Mileage, report production, etc. \$850

Total Project Budget: \$34,470

Project Schedule:

CLE is available to commence work on this project within two weeks of authorization. The Estimated project duration is 12 to 14 weeks at which time CLE will present report to you and the Waterways Board.

Conditions and Exclusions:

1. CLE will review for cursory information only, the operating budget for the Harbormasters office; however, our scope of work is operational in nature and would not include any financial or budgetary analysis.
2. CLE has included 17 interviews of members of the Gloucester community. We assume that interviews will be conducted over four days in Gloucester. Should additional interviews be requested by the Waterways Board, CLE will provide a budget for this additional scope.
3. CLE will utilize the City of Gloucester Waterways Board "Policies, Rules and Regulations Governing Gloucester's Waterways and Public Waterfront Facilities" to evaluate consistency of Department operations with respect to same. Although CLE may make recommendations for consideration of revision, this is not a primary focus of the report and CLE is not proposing a full evaluation of the policies, rules and regulations.
4. CLE assumes that the Department will provide all requested information and will work with CLE to develop an accurate assessment of existing practices.
5. CLE has provided the manhour and budget estimate that was utilized to develop the proposed cost. CLE may adjust manhours and staffing. As not to exceed cost proposal, CLE will invoice at our standard hourly rates for time expended on the project and will not exceed the total budget without prior authorization for additional services.
6. Revisions or design changes requested by the client after the preparation of the final report will be billed on a time and material basis according to our 2015 fee schedule.
7. Any and all work beyond the scope of work of this proposal shall be deemed extra and contracted for prior to commencement of such work.

Our quote is subject to acceptance within 30 days of the date of this proposal.

Payment: Billings will be on a bi-monthly basis for payment within 15 days subject to our general terms and conditions. If this engagement is agreeable to you please sign below and CLE will commence work forthwith.

CLE has enjoyed working with the Waterways Board and Harbormaster Department on past projects and we appreciate the opportunity to provide this proposal and to continue working together. For additional information on CLE, please visit our website at www.CLEngineering.com.

Yours truly,
CLE Engineering, Inc.



Susan E. Nilson, P.E.

Accepted

Date

cc: Tony Gross, City of Gloucester Waterways Board
C. Parent, CLE

City of Gloucester
SUPPLEMENTAL APPROPRIATION - BUDGETARY REQUEST
Fiscal Year 2015

****CITY COUNCIL APPROVAL- 6 VOTES NEEDED****

APPROPRIATION # 2015-SA- 19 *Auditor's Use Only*

DEPARTMENT REQUESTING TRANSFER: Harbormaster's Office

APPROPRIATION AMOUNT: \$ 35,000.00

Account to appropriate from:

Unifund Account # 700000.10.000.35900.0000.00.000.00.000

Account Description Waterways Enterprise, Retained Earnings

Balance Before Appropriation \$ 99,957.00

Balance After Appropriation \$ 64,957.00

Account Receiving Appropriation:

Unifund Account # 700000.10.492.52000.0000.00.000.00.052

Account Description Waterways Enterprise, Contractual Services

Balance Before Appropriation \$ 10,795.00

Balance After Appropriation \$ 45,795.00

DETAILED ANALYSIS OF NEED(S): Appropriate Waterways Fund "Retained Earnings" for the purpose
of completing a Harbormaster Department Management Review.

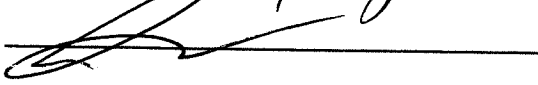
APPROVALS:

DEPT. HEAD:



DATE: 1/13/2015

ADMINISTRATION:



DATE: 1/20/2015

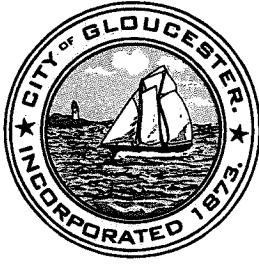
BUDGET & FINANCE:

DATE: _____

CITY COUNCIL:

DATE: _____

ENCLOSURE 6

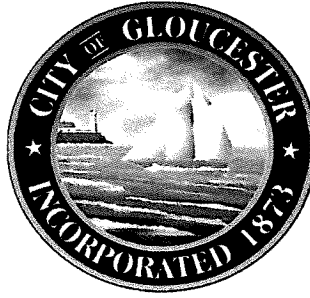


CITY OF GLOUCESTER
OFFICE OF THE FIRE DEPARTMENT

MEMORANDUM

To: The office of the Mayor
From: Eric L. Smith, Fire Chief
Date: January 6, 2015, 2014
Re: S.A.F.E. Grant

Please find attached the S.A.F.E. Grant FY15 letter of acceptance to be accepted by the City Council.



**City of Gloucester
Grant Application and Check List**

Granting Authority: State ☒ Federal _____ Other _____

Name of Grant: **School-based S.A.F.E. Grant**

Department Applying for Grant: Fire Department

Agency-Federal or State application is requested from: **Fiscal Year 2015 School-based S.A.F.E. - Grant Planning Grant -**

Object of the Application: **To provide fire safety education in all elementary schools**

Any match requirements: **NONE**

Mayor's approval to proceed: _____

Signature

Date

City Council's referral to Budget & Finance Standing Committee: _____

Vote

Date

Budget & Finance Standing Committee: _____

Positive or Negative Recommendation

Date

City Council's Approval or Rejection: _____

Vote

Date

City Clerks Certification of Vote to City Auditor: _____

Certification

Date

City Auditor:

Assignment of account title and value of Grant: _____

Title

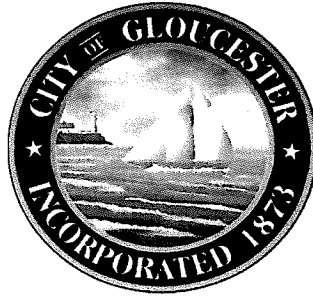
Amount

Auditor's distribution to managing department: _____

Department

Date sent

NOTE: A copy of all grant paperwork must be submitted to the Auditors Office



**City of Gloucester
Grant Application and Check List (Continued)**

The following are documents needed by the Auditing Office for Grant account creation:

1. Grant Application
2. Grant Award Letter/Standard Contract Approval Form
3. Council Order Approval
4. Original Grant Account Budget as approved by Grantor
5. Amended Grant Account Budget as approved by Grantor (if applicable)
6. Any additional information as requested by the Auditing Department

Note: All documents must be complete signed copies.

Please attach the following documents with the Grant Application and Check List and send to the Auditors Office.

City of Gloucester

Account Budget

Department Name: Fire Department

Account Name:

Fund Number and Name (N/A For New Fund): N/A

CFDA# (Required for Federal grants):

Date Prepared: September 23, 2014

Approved				
Amended Budget				
Object	Original Budget	(if applicable)	Amended Request	Revised Budget
Revenue (4 _____)	\$8,018.00			
Total:	\$2,086.00			

Expense (5 _____)	\$8,018.00			
Contracted services	\$			
Total:	\$8,018.00			

Department Head Signature



Date Entered (Audit)

Auditing Department Initials



DEVAL L. PATRICK
GOVERNOR

ANDREA J. CABRAL
SECRETARY

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security
Department of Fire Services

P.O. Box 1025 ~ State Road

Stow, Massachusetts 01775

(978) 567-3100 Fax: (978) 567-3121

www.mass.gov/dfs



STEPHEN D. COAN
STATE FIRE MARSHAL

December 12, 2014

Chief Eric L. Smith
Gloucester Fire Department
8 School Street
Gloucester, MA 01930-3529

Dear Chief Smith:

I am pleased to inform you that your FY 2015 Student Awareness of Fire Education (S.A.F.E.) and Senior SAFE grant applications have been approved for funding. The Gloucester Fire Department has been awarded \$5023.00 for the S.A.F.E. grant and \$2995.00 for Senior SAFE.

Be sure to alert your treasurer and to check with them to ensure receipt of the funds. We expect the funds to be electronically distributed on or about December 24, 2014.

All grantees are required to submit the FY 2014 year-end report to DFS by January 31, 2015. If there are any unexpended funds, the grantee may apply for a one-time 6-month extension, which will be part of the year-end report form. At the close of the single 6-month extension, all unexpended funds must be returned to the Commonwealth. At this time, any prior year remaining funds must be returned to the Commonwealth.

Twenty years ago, the fire service advocated to the legislature for the creation of the S.A.F.E. program. Since that time average annual child fire deaths have been reduced by 72%. Last year, the S.A.F.E. program was expanded to offer funds to local communities in support of senior fire prevention training. Seniors are the most vulnerable of populations at risk of fire related deaths. This program is aimed at educating seniors on fire prevention, general home safety and how to be better prepared in the event of a fire. It is our hope that with this opportunity we can recreate the success with our older population that we have had with children.

I thank you for your commitment to the S.A.F.E. program and for your continuing efforts to promote fire prevention for all citizens. If you have any questions, please feel free to contact Cynthia Ouellette at (978) 567-3381 or the S.A.F.E. staff at (978) 567-3388.

Sincerely,

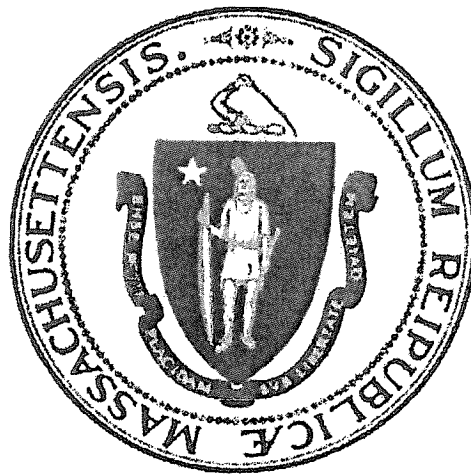
Stephen D. Coan
State Fire Marshal

Administrative Services • Division of Fire Safety
Hazardous Materials Response • Massachusetts Firefighting Academy

EXECUTIVE OFFICE OF PUBLIC
SAFETY & SECURITY

DEPARTMENT OF FIRE SERVICES

STUDENT AWARENESS OF FIRE EDUCATION &
SENIOR SAFE
GRANT APPLICATION FY 2015



Deval L. Patrick
Governor

Andrea J. Cabral
Secretary of Public Safety & Security

Stephen D. Coan
State Fire Marshal

DEPARTMENT OF FIRE SERVICES
P.O. BOX 1025 – STATE ROAD
STOW, MASSACHUSETTS 01775
Telephone: (978) 567-3380
Fax: (978) 567-3199

Table of Contents

Purpose of the Grant	
Purpose.....	2
Eligibility.....	2
Funding	2
Tier Allocations.....	3
How to Submit Grant Applications	
Submission Requirements	3
Deadline for Submission	4
Reporting Requirements.....	4
Required Information	4
Grant Application Forms	
School-based S.A.F.E. Program Grant Application	6-9, 11-14, 17
Senior SAFE Program Grant Application.....	6-8, 10-12, 15-17
Planning Grant Application.....	6, 7, 9, 17
Writing Successful Grant Applications	
Funding Expectations.....	18
Elements of a Successful School-Based S.A.F.E. Program.....	19
Elements of a Successful Senior SAFE Program.....	23
Use of Funding and Budget Information.....	25
Selection Process	25
Pass/Fail Requirements.....	26
Fire Districts	27
Regional or Joint Applications	27
Joint Agreement.....	28-30
Sample Score Sheets	
School-Based S.A.F.E. Program Score Sheet	31
Senior SAFE Program Score Sheet	34
Planning Grant Score Sheet.....	37
Signature page for Grant Submission.....	38
Signature Page for Joint Submissions.....	39

2015 School-based S.A.F.E. and Senior SAFE Grant Application

Fire departments may apply for a school-based Student Awareness of Fire Education (S.A.F.E.) or Senior SAFE grant, or both.

Purpose: School-based S.A.F.E. and Senior SAFE grants support programs that:

School-based S.A.F.E.

- Provide fire and life safety education to school-aged children including the dangers of fire, and the fire hazards of smoking materials.
- Create partnerships between schools and fire departments to teach key fire safety behaviors that also fulfill goals and objectives in the state's *Health Education Curriculum Frameworks* and the *Common Core of Learning*.

Senior SAFE

- Provide fire and life safety education to seniors including the dangers of fire, poisoning, falls and other medical emergencies, and the fire hazards of smoking materials.
- Create partnerships between fire departments and community agencies that serve seniors in order to collaborate on improving fire and life safety in the homes of seniors.

Priorities: Applications funded through these grants shall address the following priorities:

1. Activities that address the fire and health hazards of smoking materials.
2. Activities that address the key fire and life safety behaviors addressed in the *Massachusetts Public Fire and Life Safety Education Curriculum Planning Guidebook*.
3. Activities that prevent and reduce fire and burns.
4. Have trained fire and life safety educators providing education, training and programming in their communities.

Eligibility: All municipal fire departments/districts may apply for the Senior SAFE Program. Any city or town whose fire department/district had a S.A.F.E. program grant between 2010 and 2014 and is committed to working with school systems, public health and other community agencies to develop a well conceived and coordinated fire safety education program is eligible to apply for the School-based S.A.F.E. program grant. Fire departments with ongoing programs may use grant resources to enhance their current efforts by adhering to the S.A.F.E. program's guidelines. Fire departments/districts that are not eligible for a program grant may apply for a planning grant.

Planning Grants:

Fire departments/districts that have not had an active school-based S.A.F.E. program between 2010 and 2014 are eligible to apply for a planning grant. School-based S.A.F.E. planning grants are awarded based on available funds. It is anticipated that \$1,500 will be the award for planning grants. Planning grants can be awarded once, then fire departments/districts must apply for program grants.

Funding: Departments shall use funds to adopt and carry out fire and life safety education in their community. One half of the budget of a school-based S.A.F.E. grant must be devoted to the core school-based program. Senior SAFE is primarily for the education of seniors. To be eligible for a Senior SAFE grant, the fire department must partner with a community organization that works directly with seniors.

2015 School-based S.A.F.E. and Senior SAFE Grant Application

School-based S.A.F.E. Grants Tiers

Tier	Amount	Population
1	\$2,600	0-4,999
2	\$3,500	5,000-14,999
3	→ \$4,100	15,000-29,999
4	\$5,200	30,000-49,999
5	\$6,500	50,000-89,999
6	\$10,200	90,000-499,999
7	\$13,600	Over 500,000

*Town
Population*

← 3rd grade
234
K=248

Senior SAFE Grant Tiers

Tier	Amount	Population
1	\$1500	0-4,999
2	\$1800	5,000-14,999
3	→ \$2000	15,000-29,999
4	\$2200	30,000-49,999
5	\$2400	50,000-89,999
6	\$2600	90,000-499,999
7	\$2800	Over 500,000

Grant funding is based on a tiered amount. Fill out the budget page with the requested amount determined by your population.

Program Period:

The grant award funds shall be expended within 12 months of the date of the award letter. Required reports must be submitted within 14 months.

Submission Requirements:

Departments can submit two ways:

1. Submit the grant online. Departments must send a signature form with 'wet' signatures of necessary officials. See the last page.
2. Submit an **ORIGINAL** and **ONE COPY** of your completed application if mailing. A team designated by the Division of Fire Safety will read and score the applications.

Applications must be received no later than 5:00 PM on Tuesday, October 7, 2014 by mail or hand delivery to:

Department of Fire Services
P.O. Box 1025, State Road
Stow, MA 01775
ATTN: 2015 S.A.F.E. Program

Please do not include any additional pages or materials to the applications that are not otherwise specified. **Do not bind the grant applications** and do not attach the instruction sheets. Faxed applications are NOT acceptable.

2015 School-based S.A.F.E. and Senior SAFE Grant Application

THE APPLICATION IS AVAILABLE ON-LINE AT OUR WEBSITE

www.mass.gov/dfs

Deadline for Submissions:

NO EXTENSIONS for submissions of applications will be granted. Applications must be received by **5:00 PM on Tuesday, October 7, 2014.**

Reporting Requirements:

All grantees are required to submit the FY '14 Year-End report by January 30, 2015.

Unexpended Grant FY 2015 Funds

The time period to spend Fiscal Year 2015 S.A.F.E. grant funds expires on December 31, 2015. At that time, grantees will be able to apply for a one time 6-month extension to spend those funds. Extension applications must include a plan on how the remaining funds will be used. At the end of the extension period, all unexpended funds must be returned to the Commonwealth with a final budget worksheet.

Fiscal Year 2014 S.A.F.E. Funds

Communities have until December 31, 2014 to spend their FY '14 funds. Communities may request a one-time six-month extension with their completed year-end report.

Unexpended Grant FY 2013 Funds and Prior Years

In accordance with guidance from the Office of the State Comptroller, the time period to spend Fiscal Year 2013 (or any prior year) balance has expired. Any unexpended FY 2013 (or prior year) funds must be returned to the Department of Fire Services. Please coordinate with your financial official to arrange for the return of these funds to DFS as soon as possible.

Compliance Review

The Department of Fire Services will be conducting reviews to ensure that communities are complying with the requirements of the S.A.F.E. or Senior SAFE program, and to provide technical assistance. The reviews may be conducted over the telephone or in person and may involve additional documentation beyond year-end reports.

Contact:

For assistance with your program or application, please contact Cynthia Ouellette at Cynthia.ouellette@state.ma.us or (978) 567-3381.

Required information: Departments must submit the following: (If you are applying for both grants, submit only one copy of the Community Data and Demographics sheets.)

School-based S.A.F.E.:

1. Signature page if emailing (Page 38)
2. Community Data Sheet (Page 6)
3. Community Demographics (Page 7)
4. Budget Formulation Worksheet (Page 8)
5. School-based Mission Statement (Page 9)
6. Program Goals and Objectives (Page 11-12)

2015 School-based S.A.F.E. and Senior SAFE Grant Application

7. Program Narrative (Page 13)
8. Community Education Activities Worksheet (Page 17)
9. Copy of student evaluation tool ✓
10. Copy of instructor/educator evaluation tool. ✓

Senior SAFE:

1. Signature Page if emailing (Page 38)
2. Community Data Sheet (Page 6)
3. Community Demographics (Page 7)
4. Budget Formulation Worksheet (Page 8)
5. Senior SAFE Mission Statement (Page 10)
6. Program Goals and Objectives (Page 11-12)
7. Program Narrative (Page 15)

Planning grant: See page 18

1. Signature Page if emailing (Page 38)
2. Community Data Sheet (Page 6)
3. Community Demographics (Page 7)
4. Budget Formulation Worksheet (Page 8)
5. Program Goals and Objectives (Page 11-12)
6. Your program must have one school-based and one community-based activity.

Joint Grants: See page 27

1. Signature Page if emailing (Page 39)
2. Community Data Sheet for each fire department or district (Page 6)
3. Community Demographics for each fire department or district (Page 7)
4. Signed Joint Agreement (Page 28-30)
5. **This in addition to the application requirements listed above.**

2015 School-based S.A.F.E. and Senior SAFE Grant Application

Community Data Sheet

For joint grants each community must complete a separate community data sheet.

Preparer Information

Name	Dominic Barbagallo
Title	Fire lieutenant
Organization Name	Gloucester Fire Dept
Address	8 School ST
City	Gloucester ma
State	massachusetts
Zip	01930
Business Phone	978-281-9760
Business Fax	978-281-9822
Preparer and S.A.F.E. Educator Emails	DBarbagallo@gloucester-ma.gov
FDID Number	09107

Category: School-Based S.A.F.E. ☐

Senior SAFE ☐

School AND Senior SAFE ☒

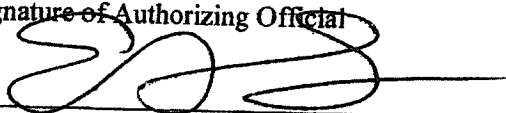
School-Based SAFE Grant Amount Requested : \$ 4,100.00

Senior SAFE Grant Amount Requested: \$ 2,000.00

Total SAFE Grant Amount Requested: \$ 6,100.00

Type of Grant Requested: Program Grant ☒ Planning Grant ☐ Joint Grant ☐

Signature of Authorizing Official

 9/25/14

Fire Department, Authorizing Official, and Date

2015 School-based S.A.F.E. and Senior SAFE Grant Application

Community Demographics

School-based S.A.F.E. and Senior SAFE Program

For joint grants each community must complete a separate community demographics sheet.

Total Community Population Source: Department of Fires Services from 2010 U.S. Census.		
For school-based S.A.F.E. complete the school enrollment information.	Public	Private
K-12 School Enrollment		
Pre-K -K	324	15
Grades 1 and 2	450	
Grades 3 and 4	486	5
Grades 5 and 6	409	
Grades 7 and 8	475	
Grades 9 and 10	466	
Grades 11 and 12	469	
Total	0 3079	0 20
Number of Schools (by type):	Public	Private
Elementary	23 6	23 1
Middle	23 1	23 0
High	23 1	23 0
Total	69 8	69 1
For Senior SAFE enter older adult pop.		
Population 65+	5,099	
Other High-Risk Population Targeted (specify) _____		
Total	0 5,099	

S.A.F.E. Educator Training


Name of Lead S.A.F.E. Educator who has completed MFA <i>Public Fire and Life Safety Educator Training</i>	Dominic Barbogatto
Name of Lead S.A.F.E. Educator who will complete MFA <i>Public Fire and Life Safety Educator Training</i> by June 30, 2015.	

Budget Category	Description	School-Based Budget Amount	Senior S.A.F.E. Budget Amount
Salary	To defray personnel costs incurred as a result of a commitment to S.A.F.E., such as replacement costs of firefighters dedicated to S.A.F.E. program initiatives. Compensation paid to employees engaged in activities affiliated with this grant may include regular salary, replacement salary, overtime, overtime replacement and other salary benefits.	\$1,982.40	\$200.00
Training	To provide training of personnel in any nationally recognized fire safety curriculum. Training courses and seminars sponsored by the Department of Fire Services are available. Typical expenses in this category include tuition, S.A.F.E. related in-state travel or lodging, and meal expenses. This includes training conducted by the fire department which should be listed under personnel costs.	\$450.00	0
Equipment	Costs associated with the purchase and installation of equipment affiliated with this grant. To purchase or lease equipment to support and enhance S.A.F.E. efforts such as televisions, DVD players, and camcorders. For the Senior SAFE Program, funds may be used to purchase smoke alarms, carbon monoxide alarms, replacement batteries, tools such as drills and step ladders for installation, high-end heat limiting devices for stoves, in-hood stove top fire extinguishers, house numbers, nightlights, and other similar fall prevention devices.	0	\$200.00
Materials & Supplies	Costs associated with any materials or supplies affiliated with the grant including: program curriculum, workbooks, DVDs, videos, handouts, classroom supplies, T-shirts, bumper stickers, and other educational or promotional materials.	\$1,300.00	\$800.00
Other	To purchase miscellaneous and/or incidental items related to the successful implementation of the S.A.F.E. program.	\$367.00	0
Total	The Total should be the total amount you are eligible to apply for in your tier. See page 3 of the instructions for the tiers.	\$4,100.00	\$2,000.00

Balance of Unexpended
FY 2013 Funds

\$ ~~0~~

(Any unexpended funds should be returned to DFS)


Chief's signature

9/25/14
Date

2015 School-based S.A.F.E. and Senior SAFE Grant Application

Program Objectives: (One page limit for each grant application.)

What do you want your community members (students, adults, etc.) to know or be able to do as a result of your program?

It is the hope of the Gloucester Fire Department to provide information and educate the senior population in home fire safety with an emphasis towards the safe use space heaters, smoke detectors and the importance of a home fire safety plan. So they will be able to prevent an accident and to respond appropriately to an emergency in their home.

2015 School-based S.A.F.E. and Senior SAFE Grant Application

Program Goals: (One page limit for each grant application.)

The Gloucester Fire Department's goal for senior fire safety is to provide an educational program designed specifically for senior citizens such as: addressing smoke detectors, safe use of space heaters, cooking /stove issues and general housekeeping. It is our hope to be able to guide the senior citizens of Gloucester to maintain a safer home environment.

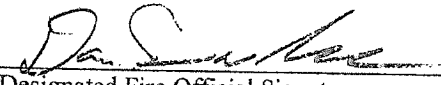
SCHOOL-BASED S.A.F.E. PROGRAM MISSION STATEMENT

The Student Awareness of Fire Education (S.A.F.E.) program is a fire and life safety education program designed to equip elementary, intermediate, and high school students with skills for recognizing the dangers of fire, including the fire risks of smoking materials. The core school-based program is taught by specially trained firefighters. Many of the firefighters are trained emergency medical technicians who have seen the catastrophic health effects of smoking-induced illnesses.

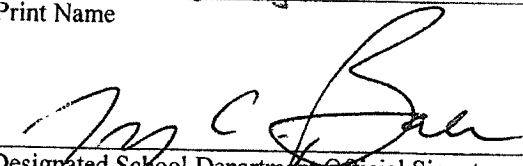
S.A.F.E. educators serve as role models while providing students with information about the dangers of fire, and age-appropriate information on preventing and surviving fires. S.A.F.E. education aims to affect change in the behavior and safety of the community at large.

The S.A.F.E. Program is designed to create partnerships between schools and fire departments. Partners work together to reach goals and objectives in the state's Curriculum Frameworks, in the Common Core of Learning, and to teach key fire safety behaviors from the *Massachusetts Public Fire and Life Safety Education Curriculum Planning Guidebook*. Partners also model teamwork for students.

Please sign and date below to acknowledge your community's pledge to adhere to the S.A.F.E. mission by striving to achieve its goals and objectives.

 9/23/14
Designated Fire Official Signature Date

Dominic Borbagelle Lieutenant
Print Name Title

 9/18/14
Designated School Department Official Signature Date

Gregg Bach Asst. Superintendent
Print Name Title

SENIOR SAFE PROGRAM MISSION STATEMENT

The Senior SAFE program is a fire and life safety education program designed to improve the safety of older adults in Massachusetts through education addressing the unique fire risks for this age group. These risks include smoking, home oxygen use, cooking, electrical, and heating dangers. The program is taught by specially trained firefighters. Many of the firefighters are trained emergency medical technicians who have seen the catastrophic effects of smoking-induced illnesses and the dangers of fire associated with home medical oxygen use.

Senior SAFE also aims to improve safety in the homes of older adults. Programs may include the installation of smoke and carbon monoxide alarms, testing and replacing batteries in these devices, installation and checking of house numbers, installation of heat limiting devices on stoves, in-hood stove fire extinguishers, nightlights, and other fall prevention interventions where needed. Firefighters will also provide education about safety devices and practices in order to improve the safety of older adults in the community.

The Senior SAFE educator serves as a community leader who provides firsthand knowledge of the dangers associated with fire and age-appropriate information on preventing and surviving fires. Senior SAFE education aims to affect a change in the behavior and safety of older adults in the community. Senior SAFE is designed to create partnerships between older adults and fire departments through established providers of senior support services such as Councils on Aging, Senior Centers, Visiting Nurse Associations, and other agencies that serve seniors.

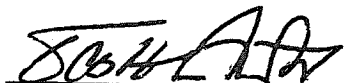
Please sign and date below to acknowledge your community's pledge to adhere to the S.A.F.E. mission by striving to achieve its goals and objectives.


Designated Fire Official Signature

9/23/14
Date

Dominic Barbagallo
Print Name

Lieutenant
Title


Designated Senior Agency Partner Signature

9/26/14
Date

SCOTT M TRENTI
Print Name

EXECUTIVE DIRECTOR
Title

2015 School-based S.A.F.E. and Senior SAFE Grant Application

Program Objectives: (One page limit for each grant application.)

What do you want your community members (students, adults, etc.) to know or be able to do as a result of your program?

2015 School-based S.A.F.E. and Senior SAFE Grant Application

Program Objectives: (One page limit for each grant application.)

What do you want your community members (students, adults, etc.) to know or be able to do as a result of your program?

2015 School-based S.A.F.E. and Senior SAFE Grant Application

Program Goals: (One page limit for each grant application.)

2015 School-based S.A.F.E. and Senior SAFE Grant Application

Program Goals: (One page limit for each grant application.)

Program Objectives: (One page limit for each grant application.)

What do you want your community members (students, adults, etc.) to know or be able to do as a result of your program?

The students will be able to identify and recognize
smoke detector sounds as well as to understand the Stay Low
& Go program and be able to respond with appropriate actions.

Program Narrative: School-based S.A.F.E. (2 page limit for each grant application.)
See page 20 for specific required information.

You must include: target audience, how many classrooms you intend to visit and how often, presentation style will you use, key fire safety behaviors you will teach, curricula you will use, how you will be evaluating (copies of both student and instructor evaluations must be included in the application), how you plan to cover the risks of smoking, and an explanation about how this is a 50% school-based grant.

Page 1

Our current program is aimed at the third grade level in the Gloucester Public School district. We would like to expand our program to the kindergarten and preschool levels.

We intend to present age-appropriate information obtained from the Department of Fire Safety as well as demonstrate fire safety skills through the use of lectures, video and interactive demonstrations at the classroom levels with emphasis on the different smoke detector sounds and the Stay Low and Go program.

The programs will be delivered at the schools in a classroom setting to two third grade classes and two kindergarten classes in each of the five schools within the Gloucester Public School District as well as to several nursery and preschools.

It is our hope to evaluate the program through handouts obtained through the Department of Fire Safety and homework returns, as well as a teacher review card for instructor evaluation.

Instructors have been trained through the Department of Fire Service S.A.F.E. Program.

2015 School-based S.A.F.E. and Senior SAFE Grant Application

Program Narrative: School-based S.A.F.E. (2 page limit for each grant application.)

Page 2

2015 School-based S.A.F.E. and Senior SAFE Grant Application

Program Narrative: Senior SAFE (2 page limit for each grant application.)
See page 23 for specific required information.

You must include: how many groups you will present to, how many home visitor train-the-trainer programs you plan, what will be included in the presentations (education, smoke alarm installations), how many home visits you plan, whether you will educate or install smoke alarms, or do both?

For those receiving this grant for the second year, describe your program from 2014 – what was accomplished and how you can improve.

Page 1

The Gloucester Fire Department has partnered with SeniorCare of Gloucester to reinforce fire safety for the senior population of Gloucester. We plan on having a town meeting type of event at the senior center in Gloucester as well as at each of the six senior housing complexes in Gloucester.

The subjects to be covered this year will include fire drill instruction, home oxygen use and care as well as smoke detector use and maintenance.

Program Narrative: Senior SAFE (2 page limit for each grant application.)

Page 2

2015 School-based S.A.F.E. and Senior SAFE Grant Application

Please List Other Community Education Activities:

Activity	Topics to be covered/Key fire safety behaviors
Care Provider Programs (e.g. Parents, Babysitter s, School Advisory Councils) Please describe.	
After School Programs	
Seniors/Older Adult Programs (If applying for a Senior SAFE Program grant as well, leave this blank.)	
Anti-tobacco Initiatives	
Community Presentations	A Fire Prevention Kiosk is planned for a Downtown Days event during the summer
Special Education Curriculum	
Health Fairs	
Fire Department Open House	
Other	

FY 2015 School-based S.A.F.E. Planning Grant Application

Requirements:

Those applying for a planning grant should request \$1,500; however, actual awards will be determined based on available funds.

- Please complete pages 6, 7, 9 and 17 from the S.A.F.E Program Grant Application.
- One lead S.A.F.E. educator must have completed the Massachusetts Firefighting Academy's *Public Fire and Life Safety Educator* course by June 30, 2015.
- Your program must have at least one school-based and one community-based activity.
- Answer these questions:

1. Is the fire department current through June 2014 with its MFIRS reporting requirements? Yes____ No____
2. Is at least one classroom-based activity planned? Yes____ No____
3. Is at least one community program planned? Yes____ No____
4. Name of the lead S.A.F.E. Educator who has completed (or will complete by 6/30/15) the 5-day Public Fire and Life Safety Educator course. _____

2015 School-based S.A.F.E. and Senior SAFE Grant Application

Funding of your S.A.F.E. Grant is contingent on the following:

For School-Based S.A.F.E. Program Grants

1. Your completion of any outstanding year-end reports, including your final budget worksheet, if you had extensions.
2. Documented partnership with schools or other agencies involved with your target audience.
3. Your program must address the fire risks of smoking materials.
4. Your program must list the key fire safety behaviors to be taught to each age group.
5. One half of the budget must be devoted to the core school-based program.
6. One lead S.A.F.E. educator must have completed the Massachusetts Firefighting Academy's *Public Fire and Life Safety Educator* course by June 30, 2015.
7. Your program must include a method for documenting student and educator evaluations.

For Senior SAFE Grants:

1. Your partnership with elder service agencies involved with your target audience.
2. Your program must address the fire risk of smoking materials.
3. Your program must teach key fire safety behaviors.
4. One lead S.A.F.E. educator must have completed the Massachusetts Firefighting Academy's *Public Fire and Life Safety Educator* course by June 30, 2015.
5. Installation programs must include a documented educational component.
6. All installers must be trained to provide in-home fire safety education.

For Planning Grants

1. One lead S.A.F.E. educator must have completed the Massachusetts Firefighting Academy's *Public Fire and Life Safety Educator* course by June 30, 2015.
2. Your program must have one school-based and one community-based activity.

Elements of a Successful School-Based S.A.F.E. Program:

- A. **Joint Planning** - S.A.F.E. requires collaborative effort among the fire service, educators, and other outside agencies.
- B. **Written Agreement** – In order to implement S.A.F.E., a written agreement between the head of the fire department and school officials is required. All parties must sign the mission statement included in the application section demonstrating each agency's commitment to S.A.F.E. and to achieving the goals outlined in the application.
- C. **Firefighter/Educator Selection** – The high quality of the educator is the foundation of the S.A.F.E. Program.
- D. **Firefighter/Educator Training** – The success of the lessons delivered and the partnership with the school relies on well-trained educators. S.A.F.E. educators must be properly trained in classroom management and presentation techniques in order to be credible. Skills developed as a result of the training provided to educators by the Massachusetts Firefighting Academy (MFA) will ensure program consistency and quality. Every S.A.F.E. program should have a lead educator that has completed the MFA's 5-day *Public Fire and Life Safety Educator* course or plans to enroll the lead educator as part of the grant application. The course provides training in classroom management techniques, child and adult

2015 School-based S.A.F.E. and Senior SAFE Grant Application

development, lesson planning, public speaking, and program evaluation skills. Through these instructions, the educator will develop a working knowledge of existing fire safety education curricula, trends, theories and elementary and secondary curriculum frameworks.

E. Narratives for School-based S.A.F.E.

Write your program goals and objectives. Your application should state your program goals and objectives. Your budget and evaluation measures should correspond to your goals and objectives.

A goal is a general statement describing what you hope to accomplish. An objective states who, what, when, where and how the goals will be accomplished.

The following are some examples of goals and objectives:

GOAL: To conduct a public fire and life safety education program within the *Anytown* elementary schools using firefighters trained as educators.

OBJECTIVE: To train two firefighters as life safety educators by sending them to the 5-day *Public Fire and Life Safety Education* training at the Massachusetts Firefighting Academy.

Program Narrative (2 page limit)

Summarize your existing program in one paragraph. Describe new programs.

Include the following in your proposed FY '15 S.A.F.E. program:

- Describe the target audience (grade levels, ages, segment of community)
- Describe which key fire safety behaviors you will address as outlined in the *Massachusetts Fire and Safety Education Curriculum Planning Guidebook*. For each grade level, describe the nationally recognized fire safety curricula you will draw lessons from.
- Describe how you will deliver your program (e.g. two classroom visits to each of 15 third grades followed by a visit through the fire safety house).
- Describe how you will conduct student evaluations. Which evaluation tool will you use (the 3rd, 6th, or 10th grade evaluations developed by DFS, or another tool)? Describe how you will conduct program/educator evaluation.
- Describe training of S.A.F.E. educators, or plans to train S.A.F.E. educators.

- F. Curriculum** – A core curriculum for the S.A.F.E. program consists of any nationally recognized fire safety curriculum, or any suitable combination of nationally recognized curricula. Programs should contain segments on: the dangers of fire, the results of unsafe use and improper disposal of smoking materials, and discussion of the harmful effects of smoking-induced illness from the EMT/Firefighter perspective. The *Massachusetts Fire and Life Safety Education Curriculum Planning Guidebook* is available to the educator. The *Guidebook* outlines key fire safety behaviors by age group. Please specify the key fire safety behaviors you will teach to each age group in your goals and objectives and on your activity sheet.

- G. Classroom Instruction** – School-based programs must be the core of a successful S.A.F.E. Program. Other activities such as presentations to parent organizations support the core program. *Individual classroom instruction is more effective than assembly-type programs. While assembly or auditorium style presentations are sometimes the only option a school offers, they are less effective and thus discouraged, except in combination with individual classroom visits with the same students.*

Programs that reach the same students multiple times are most effective because more key fire safety behaviors can be taught and reinforced in multiple visits than in a single visit or in a large assembly. Programs that reach a larger percentage of the school-age population have a greater impact in the community. **One-half of the budget must be devoted to the core school-based program.** Priority will be given to programs that provide classroom-based instruction; have multiple contacts with individual students; reach a larger percentage of the school-based population; and clearly articulate the key fire safety behaviors that will be taught at each grade level.

- H. Student Evaluation**- All S.A.F.E. programs must include a method of conducting and documenting student evaluations. Recognizing that in most communities there is neither the time nor the resources to conduct a thorough evaluation of each grade, fire and school departments are encouraged to **select one grade** and consistently evaluate that grade from year to year. **In large communities a representative sample is acceptable.**

Written results (statistics) must be summarized in the required year-end report. Please **submit a copy of the evaluation instrument that you plan to use with the grant application (test, rubric, checklist, etc.).** Evaluations can take the form of:

- written pre and post-tests;
- post-tests only;
- homework assignments (evaluated by a checklist or rubric);
- essays (evaluated by a checklist or rubric);
- completed home escape plans (evaluated by a checklist or rubric); or
- written documentation of successful demonstration by each student of a key behavior (e.g., so that you can summarize how many students successfully demonstrated stop, drop and roll, how many required coaching, and how many did not demonstrate at all.)

Use of the DFS Evaluation Tools

The Department of Fire Services (DFS) has created evaluation tools for use with 3rd, 6th, and 10th graders. Communities are encouraged to use these tools to develop a consistent evaluation of the S.A.F.E. Program across the state. If you plan to use either the 3rd, 6th, or 10th grade evaluation tools, **please attach a copy with your application (cover sheet only, not the whole test)** and indicate your intention to use the evaluation on your activity worksheet.

- H. Firefighter/Educator Evaluation** – Procedures to monitor and evaluate the S.A.F.E. educator's classroom performance are important to the success of the S.A.F.E. Program and must be included. This helps to ensure that the S.A.F.E. curriculum is presented accurately and effectively and that it is adequately tied into curriculum framework objectives. Educator and course evaluations must be used to assess presentation, content, and educator effectiveness. Teacher feedback on specific lesson plans or presentation

2015 School-based S.A.F.E. and Senior SAFE Grant Application

styles is an important component of the collaboration. **Please submit a copy of the instructor evaluation tool you plan to use.**

- I. Informal Educator/Student Interaction** – In addition to formal classroom teaching, S.A.F.E. educators need to spend time interacting with students informally. This provides students with an opportunity to become acquainted with the firefighter. The firefighter becomes a trusted friend and mentor, someone a student can turn to if he or she is experiencing difficulty.
- J. Teacher Orientation** – In order to function effectively in the classroom, the educator needs the support and understanding of teachers. S.A.F.E. educators need to meet with teachers to explain their role and to discuss how they can work together to reach the program's objectives. Knowing the classroom teacher's learning objectives can help the S.A.F.E. educator integrate the lesson into what is currently happening in the classroom.
- K. In-Service Training** –The program will provide opportunities for regular in-service training for the S.A.F.E. educator. Emphasis on continued training ensures that skills are reinforced and the S.A.F.E. educator is kept informed of the latest teaching methods and program initiatives. The Department of Fire Services is planning to conduct a series of single and multi-day in-service workshops. In addition to skill development, these workshops will provide an opportunity for on-going program evaluation and peer review of implementation techniques.
- L. Community Presentations** – Firefighters, educators and others committed to the success of this effort must ensure that the program is visible and widely accepted. The intent is to promote community understanding, acceptance, and support by establishing coalitions that are essential for S.A.F.E.'s successful implementation. While the classroom-based program is at the core, programs that include parents, grandparents and the larger community in supporting the classroom-based program can be key to its success.
- M. Policy Initiative** – Fire departments, school departments, local boards of health and councils on aging are encouraged to collaborate whenever appropriate to promote a fire safe environment.
- N. Role Model** – Because S.A.F.E. educators are role models for youth, care should be taken that students do not see those few remaining firefighters who smoke in the act of smoking while on-duty or in uniform whether it be near the fire station, the school, or out in the community.
- O. MFIRS** –MGL Chapter 148, Section 2 requires participation in the Massachusetts Fire Incident Reporting System (MFIRS). A score of 5 points will be awarded for compliance with the requirements of this reporting system.

Elements of a Successful Senior SAFE Program:

- A. **Joint Planning** – Senior SAFE requires a collaborative effort among the fire service, educators, and other outside agencies. The goal of the Senior SAFE program is to encourage fire departments to collaborate with other senior service agencies in the community such as Councils on Aging, Senior Centers, Meals on Wheels, Boards of Health, Visiting Nurses, Home Health Aides and Home Visitor Programs.
- B. **Written Agreement** – In order to implement Senior SAFE, a written agreement between the head of the fire department and the partnering elder service agency is necessary. All parties must sign the mission statement included in the application section demonstrating each agency's commitment to Senior SAFE and to achieving the goals outlined in the application.
- C. **Firefighter/Educator Selection** – The high quality of the educator is the foundation of the Senior SAFE Program.
- D. **Firefighter/Educator Training** – The success of the lessons delivered and the partnership with the elder service agency relies on well-trained educators. Senior SAFE educators must be properly trained in presentation techniques in order to be credible during homes visits and group presentations. The skills developed as a result of the training provided to educators by the Massachusetts Firefighting Academy (MFA) will ensure consistency and quality. Every Senior SAFE program should have a lead educator that has completed the MFA's 5-day *Public Fire and Life Safety Educator* course or plans to enroll the lead educator as part of the grant application.
- E. **Narratives for Senior SAFE:**
 - Program Goals and Objectives** – (1 page limit for each)
 - Your application must state your program goals and objectives. Budget and evaluation measures should correspond to the goals and objectives.

A goal is a general statement describing what you hope to accomplish. An objective states who, what, when, where and how the goals will be accomplished.

The following are some examples of goals and objectives:

GOAL: To conduct a public fire and life safety education program for older adults.

OBJECTIVE: Train two firefighters as life safety educators by sending them to a *Remembering When™* Fire and Falls Prevention Program or "Train the Trainer" in service program.

GOAL: To increase the community's ability to manage fire risk by increasing the number of working smoke alarms in older adults' homes.

OBJECTIVE: Firefighters will ride with *Meals on Wheels* volunteers during Fire Prevention Week to ask if they can test smoke alarms, replace old batteries and schedule follow-up visits to replace aging smoke or CO alarms.

2015 School-based S.A.F.E. and Senior SAFE Grant Application

Program Narrative – (2 page limit)

Include the following in your FY '15 Senior SAFE Program Narrative:

- Describe which key fire safety behaviors you will address.
 - Describe how you will deliver the program (e.g. a series of five presentations at the senior center on different topics including: cooking safety, heating safety, and home escape planning.)
 - Describe the plan to work with your partnering agency to deliver education.
 - If applicable, describe how you will conduct installer/educator evaluation.
 - If applicable, describe training of S.A.F.E. educators and non-fire department partners.
- F. Curriculum** – A core curriculum for the Senior SAFE program consists of any nationally recognized curricula or program for older adults, or the key fire safety behaviors in the *Curriculum Planning Guidebook*.
- G. Group Presentations** – This may include presentations to a general audience at senior centers on a series of different fire and life safety topics such as *File of Life*, fall prevention, carbon monoxide safety, fire escape planning, smoke alarms, cooking fire safety, home oxygen fire safety, smoking, electrical, and heating fire safety.
- H. Home Visitors** – The fire department may choose to train home visitors who already work one-on-one with older adults to deliver fire and life safety education. Building on established relationships, these ambassadors (after training) can deliver fire and fall prevention messages, test smoke alarms, conduct safety checklists, or install smoke or carbon monoxide alarms or other safety devices. Visiting nurses can work one-on-one with patients to address individual fire and fall prevention issues over time, without overwhelming patients.
- I. Smoke Alarm/CO Alarm Installation Programs** – The fire department and its community partner may choose to conduct a smoke alarm or carbon monoxide alarm installation program. This can include devices to alert people who are deaf and hard of hearing that there are fire or CO emergencies. Alarms must actually be installed, not merely handed out. In-home education must be a key component of the program. The education and installation may be conducted by the fire department alone, by home visitors trained by the fire department, or by the two agencies together. Studies have shown that home education paired with actual installation is the most effective approach. While installation and education can be conducted by the fire department or trained service worker, a collaborative approach is believed to be most effective at building rapport in the community.
- J. Installation of Other Safety Devices** – Programs may include the installation of high-end heat limiting stove-top devices and in-hood fire extinguishers as ways of addressing cooking fires, the leading cause of senior fire-related injuries. Other safety devices such as grab bars and nightlights to prevent falls, and visible house numbers are also allowed.
- K. Policy Initiative** – Fire departments, school departments, local boards of health and councils on aging are encouraged to collaborate when appropriate to promote fire safe environments.
- L. Role Model** – Because Senior SAFE educators are role models care should be taken that seniors do not see those few remaining firefighters who smoke in the act of smoking while on-duty or in uniform, whether it be near the fire station or out in the community. Senior SAFE educators should keep in mind they are role models representing the fire department

2015 School-based S.A.F.E. and Senior SAFE Grant Application

and the municipality whenever they are interacting with the public or in public view, whether on or off duty.

M. MFIRS – MGL Chapter 148, Section 2 requires participation in the Massachusetts Fire Incident Reporting System (MFIRS). A score of 5 points will be awarded for compliance with the requirements of this reporting system.

Use of Funding and Budget Information

Budget Worksheet – Specify the total dollar amounts that you propose to spend for each budget item. The total must equal the grant amount requested. The Grand Total should be the total amount you are eligible to apply for in your tier. See page 3 of the instructions for tier information.

Limitations on the Use of S.A.F.E. Funds

Funds for programs and services provided through this grant are intended to supplement *not supplant* other funding sources. Generally, no funding will be approved for:

- Construction, office furniture (e.g. copiers, air conditioners, heat lamps, fans, file cabinets, desks, chairs, rugs, etc.), and the purchase or lease of motor vehicles.
- Out of state travel or out of state lodging.
- Any existing program, salaries or other costs *unrelated* to the S.A.F.E. program.
- Code enforcement activities.
- Stipends for schoolteachers and lay personnel.
- The purchase of a Fire Safety House.

Payment Terms

The Massachusetts Department of Fire Services agrees to disburse funds on or about 10 days following the award notice. The payment schedule will be subject to the Commonwealth's funding allotment schedule, which is the methodology used to manage cash-flow statewide, and may be subject to change.

Balance of Unexpended Funds

If your community has any FY 2013 or prior year unexpended funds they should be returned to DFS, as the time to use them has expired. Do not include any FY 2014 funds, as the time to spend those has not expired.

Selection Process:

The Division of Fire Safety will designate a team to review grant applications.

Several items will be required on a pass/fail basis for applications to be considered. Applications that fail to include any one of these items will be returned. The applicant will have one week to provide the required information or the application will not be considered.

Pass/Fail Requirements: (see pages 31-37 for the program scoring sheet)

Pass/Fail Requirements for all applications:

1. Demographics page complete.
2. Application provides the name of an active S.A.F.E. educator who either holds a teaching certificate or **has completed or is enrolled in the Massachusetts Firefighting Academy's 5-day Public Fire and Life Safety Educator (PF&LSE) course.**
3. The fire risk of **smoking materials** (cigarettes, pipes, lighters, matches, etc.) is one of the key fire safety behaviors addressed.
4. All **past due S.A.F.E. Year-End Reports have been completed and submitted.**

Additional Pass/Fail Requirements for School-based S.A.F.E. applications:

5. Authorized representatives have signed the mission statement attesting to a joint planning process and commitment to work to achieve the goals outlined in the application. For school-based S.A.F.E. both the **school and fire departments must sign.**
6. The **key fire safety behaviors to be taught at each grade level** are listed.
7. The budget justification shows a minimum of **50% of the budget supporting a school-based program.**
8. The application details how student **evaluations** will be documented and a copy of the evaluation instrument is attached.

Each application will be considered successful if all requirements are met.

Additional Pass/Fail Requirements for Senior SAFE applications:

1. Authorized representatives have signed the mission statement attesting to a joint planning process and commitment to work to achieve the goals outlined in the application. For Senior SAFE, both the fire department and the elder service agency must sign. Examples are: Councils on Aging, Senior Centers, Meals on Wheels, Housing Authorities, Visiting Nurses or Home Health Aid Associations.
2. The key fire safety behaviors to be addressed are listed.
3. Any installation program also provides for in-home education.

Senior SAFE applications must have all the required information identified in the application.

Pass/Fail Requirements for Planning Grants:

1. The application provides the name of an active S.A.F.E. educator who either holds a teaching certificate or **has completed or is enrolled in the Massachusetts Firefighting Academy's 5-day Public Fire and Life Safety Educator (PF&LSE) course.**
2. The program narrative must outline one specific school-based program (such as classroom visit, fire safety house visit, assembly program) and one community program (such as an open house).

2015 School-based S.A.F.E. and Senior SAFE Grant Application

Scoring Sheets: A copy of the Scoring Sheets that will be used by the reviewers is included in this document on pages 31-37.

Allocation of Grants - A list of communities, their population tier and the amount they are eligible to apply for accompanies this application.

Fire Districts - Fire departments or districts applying for a School-based S.A.F.E. or a Senior SAFE grant are eligible to apply for the portion of the town's total eligible amount equal to the portion of the town's population they protect.

For instance, a community is divided into three districts (District 1 protects 60%, District 2 protects 25%, and District 3 protects 15% of the town's population). The town's funding amount based on population is \$4,000. District 1 would be eligible to apply for 60% of \$4,000, which is \$2,400; District 2 would be eligible to apply for 25%, which is \$1,000 and District 3 would be eligible to apply for 15%, which is \$600.

Regional or Joint Applications for Program Grants - Fire departments/districts may enter into agreement with other districts in their community, or other departments, to serve as a single provider for public fire education services. With the signed agreement (see pages 28-30) and the Signature Page for Joint Agreements (Page 39) departments/districts in a community, a single department/district will then be eligible to receive full funding for all the departments/districts. Please complete the Community Data Sheet and Community Demographics on pages 6 and 7 for each participating fire department/district.

**Joint Agreement Between
The Department of Fire Services**

And

**The S.A.F.E (Student Awareness of Fire Education) Grant
Recipients**

Senior SAFE Grant Recipients

(To be completed only by Communities/ Districts submitting joint applications)

This agreement is entered into by and between the Commonwealth of
Massachusetts, Department of Fire Services, State Road, Stow, Massachusetts
and the City/Town of _____, as principal acting on
behalf of itself and the City/Town(s) of _____,
_____, _____,

beneficiaries and regional grant recipients. This agreement is for:

Student-based S.A.F.E.	<input type="checkbox"/>
Senior SAFE	<input type="checkbox"/>
Both	<input checked="" type="checkbox"/>

In exchange for mutual promises contained herein, as good and sufficient
consideration, the receipt and sufficiency of which are hereby acknowledged, the
parties are agreed as follows:

TERMS AND CONDITIONS

I) The Department

A) The Department of Fire Services shall provide S.A.F.E. grant monies, in
the amount of \$ _____, in accordance with the funding formula
provided for in the regional SAFE grant application, incorporated herein by
reference.

2015 School-based S.A.F.E. and Senior SAFE Grant Application

A) This money is intended to be used for public fire education services to be provided by the principal for itself and all its beneficiaries. The total grant award as provided, above, and shall be the total sum award for the principal and its beneficiaries as determined by the SAFE grant formula provided in the grant application.

II) The Principal and Beneficiaries

A) The principal and its beneficiaries agree to enter into any necessary agreements necessary to effectuate the purpose of the grant award and the terms of this agreement, including but not limited to, the execution of contracts related to the grant.

B) The principal and beneficiaries, expressly warrant that they will abide by the terms of the S.A.F.E. grant and this agreement in exchange for the grant award monies provided for and referenced herein. The beneficiaries will "forgo funding" for their respective communities in exchange for their receipt of services as provided herein.

So Agreed:

For the Department of Fire Services:

Stephen D. Coan, State Fire Marshal

Date

For the Principal: City/Town of Gloucester

Dominic Barbagallo
Designated Signature Authority

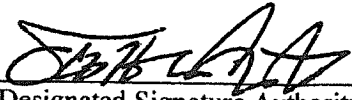
9/23/14
Date

Dominic Barbagallo
Print Name and Title

Lieutenant

2015 School-based S.A.F.E. and Senior SAFE Grant Application

For the Beneficiaries:

City/Town of: GLoucester 
Designated Signature Authority
SCOTT M TREVISI, EXEC. DIRECTOR Print Name and Title

City/Town of: _____
Designated Signature Authority
_____ Print Name and Title

City/Town of: _____
Designated Signature Authority
_____ Print Name and Title

2015 School-based S.A.F.E. and Senior SAFE Grant Application

Scoring Guide for Grants

Required Information					
	Yes	No	Partial Information	Comments	Met All Requirements
School-Based S.A.F.E. Grant					
This plan must include all of the following:					
Part I					
Demographics					
PFALSE Trained Member					
Name: _____					
Or: Name of member of complete PFALSE by June 30, 2015 _____					
Past Year-end Reports Complete					
MFIRS Complete					
Budget Page Signed by the Chief or Signature Page included					

SAFETY

2015 School-based S.A.F.E. and Senior SAFE Grant Application

Scoring Guide for Grants

Required Information					
School-Based S.A.F.E. Grant	Yes	No	Partial Information	Comments	Met All Requirements
Part 2 Documented School Partnerships: <ul style="list-style-type: none"> Signed by the Chief and Superintendent of Schools 					
Part 3 Narrative <ul style="list-style-type: none"> Does the program include clear Goals? Does the plan include measurable Objectives for the program? 					
Does the Plan include a descriptive narrative which includes ALL of the following components: <ol style="list-style-type: none"> How many planned classroom visits Planned presentation style – Classroom visits, Assemblies, a combination of both What Key Fire Safety Behaviors will be taught What Curriculum will be used 					

2015 School-based S.A.F.E. and Senior SAFE Grant Application

Scoring Guide for Grants

Required Information					
School-Based S.A.F.E. Grant	Yes	No	Partial Information	Comments	Met All Requirements
Part 3 Narrative continued:					
1. What method of Student Evaluation will be used? <u>Include in the application.</u>					
2. What Instructor Evaluation will be used? <u>Include in the application</u>					
3. Addresses the Risk of Smoking.					
4. Explains how this grant is 50% School Based (classroom sessions preferred)					
5. Other Community Activity Sheet filled out					

SAFETY

2015 School-based S.A.F.E. and Senior SAFE Grant Application

Scoring Guide for Grants

Required Information		Yes	No	Partial Information	Comments	Met All Requirements
Senior SAFE Grant						
PART I This plan must include all of the following:						
Demographics						
PFALSE Trained Member						
Name: _____ Or: Name of member of complete PFALSE by June 30, 2015 _____						
Past Year-end Reports Complete						
MFIRS Complete						
Budget Page Signed by the Chief or included on signature sheet for online submission.						

Required Information					
Senior SAFE Grant	Yes	No	Partial Information	Comments	Met All Requirements
Part 2 Documented Partnerships with a Senior Agency Serving Older Adults: COA's, Visiting Nurses, Meals On Wheels Part 3 Narrative Does the plan include clear GOALS for the program? Does the plan include clear Objectives for the program? Does the plan include a descriptive narrative which includes <u>All</u> of the following components: 1. How many visits are intended? (home visits, senior center visits) Be specific in your plans) 2. What is the Planned Presentation Style (group, home, other? How partnering with your senior agency?					

Required Information		Comments			
Senior SAFE Grant	Yes	No	Partial Information	Comments	Met All Requirements
Part 3 Narrative continued: 1. What Key Fire Safety Behaviors will be taught? 2. Training of non-fire department home visitors for education or smoke alarm installation identified. 3. Joint home visits with the partnering senior agency planned? 4. Plans for follow-up to home visits? 5. Installing other devices – high end heat limiting devices on stove or in-hood fire extinguishers.					

SAMPLE

2015 School-based S.A.F.E. and Senior SAFE Grant Application


Required Information		Scoring Guide for Grants			
Planning Grant	Yes	No	Partial Information	Comments	Met All Requirements
Part 1: 1. MFIRS Current. Is the fire department current through June 2013 with its MFIRS reporting requirements? 2. At least one activity is classroom based. 3. At least one activity is community based. 4. Name of lead S.A.F.E. educator who has completed or will complete by 6/30/14 in 5-day Public Fire and Life Safety Educator course.					

SAFETY

Signature Page

Signature page must be mailed to: Department of Fire Services
P.O. Box 1025, State Road
Stow, MA 01775
ATTN: 2015 S.A.F.E. Program

I hereby acknowledge that I have reviewed and approved the above grant and budget application and the information provided herein is, as of this date, true and accurate.


Signature - Chief of the Fire Department 9/25/14
Date

For the School-based S.A.F.E. grant:

Please sign and date below to acknowledge your community's pledge to adhere to the S.A.F.E. mission by striving to achieve its goals and objectives.


Signature - Designated Fire Official 9/23/14
Date

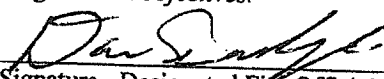
Dominic Barbagallo
Print Name Lieutenant
Title


Signature - Designated School Department Official 10/1/14
Date

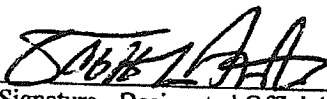
Gregg Bach
Print Name Assistant Superintendent
Title

For the Senior SAFE:

Please sign and date below to acknowledge your community's pledge to adhere to the S.A.F.E. mission by striving to achieve its goals and objectives.


Signature - Designated Fire Official 9/23/14
Date

Dominic Barbagallo
Print Name Lieutenant
Title


Signature - Designated Official 9/26/14
Date

SCOTT M TRENTI
Print Name EXECUTIVE DIRECTOR
Title

Joint Application

Signature page must be mailed to: Department of Fire Services
P.O. Box 1025, State Road
Stow, MA 01775
ATTN: 2015 S.A.F.E. Program

I hereby acknowledge that I have reviewed this joint application and approved the above grant and budget application and the information provided herein is, as of this date, true and accurate.

For the Department of Fire Services:

Stephen D. Coan, State Fire Marshal Date

For the Principal: City/Town of _____

Designated Signature Authority Date

Print Name and Title

For the Beneficiaries:

City/Town of Gloucester

Designated Signature Authority Date
9/18/14

Gregg Bach Asst. Superintendent
Print Name and Title

City/Town of _____

Designated Signature Authority Date

Print Name and Title


2015 School-based S.A.F.E. and Senior SAFE Grant Application

Budget Category	Description	School-Based Budget Amount	Senior S.A.F.E. Budget Amount
Salary	To defray personnel costs incurred as a result of a commitment to S.A.F.E., such as replacement costs of firefighters dedicated to S.A.F.E. program initiatives. Compensation paid to employees engaged in activities affiliated with this grant may include regular salary, replacement salary, overtime, overtime replacement and other salary benefits.	\$1,982.40	\$200.00
Training	To provide training of personnel in any nationally recognized fire safety curriculum. Training courses and seminars sponsored by the Department of Fire Services are available. Typical expenses in this category include tuition, <u>S.A.F.E. related</u> in-state travel or lodging, and meal expenses. This includes training conducted by the fire department which should be listed under personnel costs.	\$450.00	0
Equipment	Costs associated with the purchase and installation of equipment affiliated with this grant. To purchase or lease equipment to support and enhance S.A.F.E. efforts such as televisions, DVD players, and camcorders. For the Senior SAFE Program, funds may be used to purchase smoke alarms, carbon monoxide alarms, replacement batteries, tools such as drills and step ladders for installation, high-end heat limiting devices for stoves, in-hood stove top fire extinguishers, house numbers, nightlights, and other similar fall prevention devices.		200.00
Materials & Supplies	Costs associated with any materials or supplies affiliated with the grant including: program curriculum, workbooks, DVDs, videos, handouts, classroom supplies, T-shirts, bumper stickers, and other educational or promotional materials.	1200.00	800.00
Other	To purchase miscellaneous and/or incidental items related to the successful implementation of the S.A.F.E. program.	367.60	0
Total	The Total should be the total amount you are eligible to apply for in your tier. See page 3 of the instructions for the tiers.	\$0.00 4100.00	\$0.00 2000.00

Balance of Unexpended
FY 2013 Funds

\$ None (No grant in 2013)

(Any unexpended funds should be returned to DFS)


Chief's signature

9/25/14
Date

City Hall
Nine Dale Avenue
Gloucester, MA 01930



CITY OF GLOUCESTER
OFFICE OF THE MAYOR

TEL 978-281-9700
FAX 978-281-9738
stheken@gloucester-ma.gov

CITY CLERK
GLOUCESTER, MA
15 JAN 22 PM 1:30

TO: City Council
FROM: Sefatia Romeo Theken, Mayor
DATE: January 23, 2015
RE: Addendum to the Mayor's Report for the January 27, 2015 City Council Meeting

Councilors:

We are pleased to announce that Charles J. Payson, Esq. accepted our offer of employment as the City's General Counsel. We feel fortunate to have been able to attract a candidate with Mr. Payson's credentials, and I encourage the City Council to extend him a warm welcome. It is with pleasure that I put Charles J. Payson, Esq. forward for the position of General Counsel for a one year term to expire February 14, 2016.

Included as **Enclosure 1** is a copy of Mr. Payson's resume as well as the job description for the General Counsel. *Please refer this matter to the **Ordinance and Administration** subcommittee for review and approval.*

January 21, 2015

Dear Mayor Romeo-Theken and Members of the Gloucester City Council,

I write regarding the General Counsel position for the city of Gloucester. I am interested in the position and it is my hope that you will give due consideration to my candidacy for it.

My career as an attorney has been focused on the intersection of public policy and law. During my time in the public sector, I worked on solutions to broad and specific policy questions through the creation and passage of statutes and regulations. While in the private sector, I worked with statutes and regulations, and the caselaw that assists lawyers in interpreting the law, to benefit my employers and clients. As a result, I have gained important insight into the creation of statutory and regulatory law, its impact on the public and how it may be utilized to address important policy questions.

On a personal note, while I am not a resident of Gloucester I am no stranger to the city. Over the years, my wife and I have built many lasting friendships and business relationships with those in the city. We always enjoy our time in Gloucester and have a fundamental appreciation for the city's historic past and its bright future.

I hope to get the opportunity to utilize my experience to the benefit of the city of Gloucester as its General Counsel. Thank you for your consideration of my candidacy. I look forward to speaking with you soon.

Sincerely,

Charles J. Payson, Esq.

CHARLES J. PAYSON, ESQ.

44 OBER STREET, BEVERLY, MASSACHUSETTS 01915

(617) 680-6683 | cjpayson@gmail.com | www.linkedin.com/in/cjpayson

EXPERIENCE

THE LIBERTY SQUARE GROUP, Boston, MA

2013-present

The Liberty Square Group (LSG) is a full-service strategic government affairs, communications, economic development, campaigns and grass roots mobilization firm. LSG provides legislative and executive branch issue development; liaison service; legislative advocacy; and federal, state and local marketing, positioning, and business development. LSG works on behalf of an array of interests including non-profits, municipalities, state and local governmental agencies, healthcare businesses, labor unions and Fortune 500 companies.

Senior Vice President

- Serves as a member of the senior leadership team at the Liberty Square Group.
- Maintains a growing and robust practice in the areas of government affairs, communications, economic development, community affairs and grassroots mobilization.
- Provides strategic advice to clients and other entities such as non-profits, labor unions, healthcare companies, political campaigns and others.
- Drafts legislation and conducts statutory and regulatory review for clients.

SETH MOULTON FOR CONGRESS (MA), Salem, MA

2013-present

Seth W. Moulton is a Democrat and an Iraq war veteran who successfully ran for and won a seat in Congress from the 6th Congressional District of Massachusetts. Against the odds, Mr. Moulton defeated incumbent nine-term Democratic Congressman John Tierney in the primary election by ten points and went on to defeat former Massachusetts State Senator Richard Tisei in the general election by thirteen points.

Senior Advisor and Political Director

- Serves as a key advisor to Mr. Moulton since the inception of his campaign for Congress.
- Provides counsel to Mr. Moulton on political matters in the 6th District, the Commonwealth and nationally.
- Drove strategy discussions pertaining to Mr. Moulton's transition to elected office.
- Worked with important constituent groups and local elected officials on behalf of Mr. Moulton.
- In two short months, secured over twenty endorsements that raised nearly \$100,000 from local and national labor unions for Mr. Moulton's general election campaign.
- Reviewed contracts and provided legal advice to the candidate and his campaign committee.

LAW OFFICE OF CHARLES J. PAYSON, Marblehead/Danvers/Beverly, MA

2004-present

Established a small law practice shortly after passing the bar and continued to practice law periodically.

- Provided legal advice on a myriad of civil matters.
- Drafted and/or reviewed documents such as contracts, wills, powers of attorney, legal opinions, legal memoranda, legal letters, mortgages.
- Conducted legal research into federal and state statutory and regulatory law as well as caselaw.

CONGRESSMAN JOHN F. TIERNEY (MA), Peabody, MA

2011-2012

Congressman John F. Tierney has served as a member of Congress since 1996. His district, the 6th Congressional District in Massachusetts, follows the coastline north of Boston to the New Hampshire border and includes nearly 40 cities and towns the largest of which are Lynn, Peabody, Beverly, Salem and Gloucester.

District Director

Served as Congressman Tierney's principal district advisor, his primary point person in the community and the director of the daily operation of his district office and its staff.

- Led the Congressman's efforts in the district on several high profile projects such as congressional re-districting and the preservation of the Bedford VA Hospital.
- Worked closely with 6th District businesses, education institutions and healthcare industries as well as labor unions and non-profit organizations to coordinate and advance the Congressman's priorities.
- Served as the Congressman's principle liaison with the rest of the congressional delegation as well as the state and local elected officials.
- Managed a staff of between eight to ten and directed all daily district office operations in the Congressman's two congressional offices (Peabody and Lynn) including scheduling, constituency casework, outreach strategy (design and implementation) and federal office coordination with the JFT for Congress campaign among others.
- Provided significant review and input into the office employee manual as well as contract review and advice to the chief of staff regarding miscellaneous legal matters.

NORTHEAST HEALTH SYSTEM (NHS), Beverly, MA

2007-2010

NHS is a 4,000-employee / \$450M community health system that includes three business divisions: senior health, behavioral health, and acute care (a business division that contains Beverly Hospital, BayRidge Hospital in Lynn, Addison Gilbert Hospital in Gloucester and an ambulatory care facility in Danvers).

Vice President, External Affairs

Recruited to serve as the principal strategic communications, government affairs, and community relations executive managing a four-member team and a budget of approximately \$1M.

- Guided the board of directors, several CEOs, and senior management through public relations and media crises such as the Gloucester High School contraception debate, the possible closing of the North Shore Birth Center, a CEO's ouster, and a new CEO's takeover of the organization.
- Advised the CEO on and guided his participation in the Boston Globe's Spotlight Series entitled "Unhealthy System" which was a several part exposé on healthcare in Massachusetts and was published in the winter of 2008-2009.
- Led the organization's advocacy efforts during the 2010 Massachusetts healthcare reform debate that included meetings with legislators such as the Senate Majority Leader and the Senate President, as well as the drafting of and advocacy for the inclusion of pilot program language in one of two healthcare reform packages.
- Led the organization's efforts to improve its working relationship with certain labor unions, specifically the building trades and the IBEW Local 103, in order to avoid significant and public labor unrest.
- Assisted inhouse legal counsel with the drafting and review of various legal documents including, without limitation, contracts, memoranda, opinions, letters etc.

SENATOR STEVEN TOLMAN, Boston, MA

2004-2007

Senator Tolman began his career as a legislator in the Massachusetts House of Representatives in 1994. In 1998, he was elected to the Massachusetts State Senate where he continues to serve today. Senator Tolman represented the 2nd Suffolk and Middlesex District that was comprised of the towns of Brighton, Watertown, Belmont, Northwest Cambridge, and the Back Bay and the Fenway areas of Boston.

Chief of Staff

Recruited to serve as Senator Tolman's chief of staff and principal advisor on all issues necessary to his work representing the 2nd Suffolk and Middlesex District in the Massachusetts State Senate.

- Served as the Senator's point person when he became the first Senate chair of the newly created Mental Health and Substance Abuse Committee.
- Worked closely with the Senator as he began his public campaign fighting for fair treatment for addicts and increased funding for substance abuse treatment facilities and services within the Commonwealth.
- Managed a staff of five and directed daily office operations, including policy creation, media strategy, legislation development, and constituency casework.
- Drafted legislation and provided statutory and regulatory as well as legal advice for the Senator.

THE WHITE HOUSE, Washington, DC

1997-2000

William J. Clinton was elected the 42nd president of the United States in November 1992. President Clinton served two consecutive four-year terms from January of 1993 until January of 2001. He was the first Democrat elected to serve two full terms as president since Franklin D. Roosevelt.

Associate Director of the Office of Public Liaison (06/99-07/00)**Assistant Director of Presidential Scheduling** (1/99- 6/99)**Special Assistant to the Director of Presidential Scheduling** (3/98- 1/99)**Director of Presidential Scheduling Correspondence** (8/97- 3/98)

- Served as a primary point of contact for the agriculture, law enforcement, and sports communities and managed outreach efforts to those constituencies, including participating in the planning and execution of:
 - o A Presidential event outside of Minneapolis where the President spoke about the importance of Permanent Normal Trade Relations with China and a meeting with then Senate Minority Leader Tom Daschle (SD) regarding R-CALF, a national cattle producer organization.
 - o The President's participation in an event in Oklahoma City commemorating the 5th Anniversary of the Oklahoma City Bombing.
 - o The President's participation in White House events honoring championship teams such as the 1999 Men's and Women's NCAA Basketball Champions (University of Connecticut and Purdue University), 1999 NHL Champions (Dallas Stars), 1999 NCAA Football Champions (Florida State), and the 1999 US Open Tennis Champions (Andre Agassi and Serena Williams).
- Briefed the President, Vice President, senior staff, and/ or Cabinet members prior to their participation in events or meetings.
- Traveled with the President to various events in presidential motorcades or aboard Air Force One.
- Served as the key coordinator of the social and personal schedules of the President.

SENATOR TOM HARKIN (IA), Washington, DC

1995-1997

Served as **Staff Assistant; Office Manager; Legislative Correspondent; and Assistant to the Chief of Staff.**

<u>HARKIN FOR SENATE CAMPAIGN</u> , Davenport and Muscatine, IA Volunteer	1996
<u>CLINTON-GORE RE-ELECTION CAMPAIGN</u> , Washington, DC Volunteer	1996
<u>REPRESENTATIVE PATRICK KENNEDY (RI)</u> , Washington, DC Volunteer-Staff Assistant	1995
<u>REPRESENTATIVE PHILIP SHARP (IN)</u> , Washington, DC Staff Assistant	1994-1995

C L E R K S H I P S

<u>SHUTZER, LAURION & ASSOCIATES</u> , Lynn, MA Law Clerk	2003-2004
<ul style="list-style-type: none"> • Drafted and reviewed, without limitation, legal memoranda, contracts, wills, trusts, motions, letters to clients, mortgages, . • Conducted case reviews and client interviews. • Conducted legal research which included federal and state statutory, regulatory and case law analysis. • Attended motion hearings on behalf of supervising attorney. • Drafted responses to interrogatories and participated in depositions. 	
<u>SUFFOLK UNIVERSITY LAW SCHOOL</u> , Boston, MA Research Assistant for Professor Kathleen Elliott Vinson	2002-2003
<u>MASSACHUSETTS TEACHERS ASSOCIATION (MTA)</u> , Boston, MA Law Clerk	2002
<u>ATTARDO & MILLER LLP</u> , Marblehead, MA Law Clerk	2001-2002

E D U C A T I O N

Juris Doctor, SUFFOLK UNIVERSITY LAW SCHOOL, Boston, MA, 2003
 Bachelor of Arts, History, INDIANA UNIVERSITY, Bloomington, IN, 1995

P R O F E S S I O N A L A S S O C I A T I O N S

Board Member, GORDON COLLEGE EMPLOYER ADVISORY BOARD (2013-present)
 Board Member, ESSEX NATIONAL HERITAGE COMMISSION (2008-2010)
 Board Member, HOSPICE OF THE NORTH SHORE (2007-2010)
 Board Member, BRIDGE OVER TROUBLED WATERS (2006-2007)
 Admitted, MASSACHUSETTS BAR (2004)

CITY OF GLOUCESTER

Job Description

Title: General Counsel/City Solicitor

Department: Legal Office

Supervisor: Mayor

**Supervision
Exercised:** Assistant General Counsel and Legal Secretary

Grade: M11

Civil Service: Exempt

Union: Exempt

Responsibilities: Provides the City with all municipal legal services excepting certain School Department matters and municipal bond matters. Uses independent judgment in representing the City's interests and remains responsible for advising and guiding all departments within the municipality on matters of legal compliance.

Duties:

- ♦ Commences and prosecutes all actions by the City before any tribunal in the Commonwealth, whether in law or equity and whether State or Federal.
- ♦ Appears in, defends and advocates the rights and interests of the City wherein any estate, right, privilege, ordinance or act of the City government or any breach of any ordinance, may be brought into question.
- ♦ Appears before the legislature of the Commonwealth, or any committee thereof, whether either or both branches of the same, and there, in behalf of the City, to represent, answer for, defend and advocate the welfare and interests of the City wherever the same may be directly or incidentally affected, whether to prosecute or defend the same.
- ♦ Appears as counsel in the prosecution of violations of City ordinances and regulations in the District Court when requested by the City officials to do so.
- ♦ Drafts or reviews deeds, obligations, contracts, leases, agreements, conveyances and other legal instruments of whatever nature as requested by various officials.
- ♦ When requested, furnishes the City Council and any other officer of the City who may require it in the official discharge of his or her duties with a legal opinion on any subject relating to or affecting the duties of their respective offices. Attends meetings of City Boards and Commissions when requested.
- ♦ Manages all municipal legal affairs and in performing those duties, may refer

particular matters to special counsel. Also responsible for the supervision and management of any matter in which a special counsel is required.

- Performs such other additional powers and professional duties as the City Council may prescribe, including attendance at City Council meetings when requested.
- Supervises Assistant General Counsel and Legal Secretary.

Qualifications:

- ♦ Bachelor's and J.D. Degrees required.
- ♦ Must be admitted to the bar in Mass. for at least five years.
- ♦ Must be admitted to the United States District Court for Mass.
- ♦ Must have substantial professional experience in at least three of the following:
 - Civil trial practice
 - Appellate practice
 - Administrative law
 - Environmental law
 - Zoning and land use law
 - Public sector labor law
 - Workers' compensation
 - Public contract law
 - Public construction law
 - Drafting legislation and regulations
 - Municipal practice

- *revised 02/09*



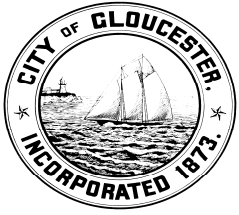
CITY OF GLOUCESTER 2015 CITY COUNCIL ORDER

ORDER:	CC#2015-003
COUNCILLOR:	Greg Verga

DATE RECEIVED BY COUNCIL:	01/27/15
REFERRED TO:	
FOR COUNCIL VOTE:	2/10/15

ORDERED that any request for any proposed debt “shift” from any enterprise account to the tax levy would require that the City Council schedule a one item agenda for a Special City Council Meeting, and a duly advertised Public Hearing specifically for said proposal.

Greg Verga
Councillor at Large



CITY OF GLOUCESTER 2015 CITY COUNCIL ORDER

ORDER:	CC#2015-004
COUNCILLOR:	Robert Whynott

DATE RECEIVED BY COUNCIL:	01/27/15
REFERRED TO:	O&A
FOR COUNCIL VOTE:	

ORDERED that the Ordinances & Administration Committee review the language of Charter section 8-1 which requires that municipal preliminary elections shall be held on the fifth Tuesday preceding every regular city election to determine whether to recommend to the Council that the City seek a Special Act from the state legislature to amend the Charter to provide that municipal preliminary elections shall be held no later than the sixth Tuesday preceding a regular or special municipal election with the date to be fixed for each preliminary election by a vote of the City Council which shall be taken no later than the sixtieth day before the date so fixed.

FURTHER ORDERED that the Ordinances & Administration together with the City Clerk and the Board of Registrars review the reasons for and the advantages of holding preliminary elections earlier than allowed by Charter section 8-1.

FURTHER ORDERED that the matter be referred to the Ordinances & Administration for review.

Robert Whynott
Councillor at Large

GLOUCESTER CITY COUNCIL MEETING

Tuesday, January 13, 2015 – 7:00 p.m.

Kyrouz Auditorium – City Hall

-MINUTES-

Present: Chair, Councilor Paul McGeary; Councilor Melissa Cox; Councilor Greg Verga; Councilor Robert Whynott; Councilor Paul Lundberg; Councilor William Fonvielle; Councilor Robert Stewart; Councilor Joseph Ciolino

Absent: Councilor LeBlanc

Also Present: Mayor Sefatia Theken; Jim Destino; Linda T. Lowe; Salvatore DiStefano; Kenny Costa; John Dunn; Jim Caulkett; Paul Keane; Sally Polzin; Tom Daniel; William Sanborn; James Pope; Fire Chief Eric Smith; Nancy Papows; Gary Johnstone; Judith Hoglander; Robert Haverkamp; Dale Brown

The meeting was called to order at 7:00 p.m.

Flag Salute & Moment of Silence.

Council President McGeary, on behalf of the Council, welcomed Mayor Theken to her first Council meeting.

Other Business:

Swearing in of Joseph Ciolino as Councilor at Large under Charter provision 2-13(a)

Linda T. Lowe, City Clerk, administered the oath of office to Joseph Ciolino as Councilor At Large, serving out the remainder of the term left vacant by former Councilor at Large Sefatia Romeo-Theken when she was elected to serve as Mayor, term to expire December 31, 2015.

Councilor Ciolino after a few brief remarks on returning to the Council, and thanking his family and friends for their support, he took his place at the Council dais.

Oral Communications:

Peter Todd, Poet Laureate of the City of Gloucester, read a poem he wrote especially for the city at the advent of a new Mayor and City Councilor:

The Ship of Gloucester Set at Full Sail

*On this date we have our ship with a full crew
Ready to set our sails to our new horizons
Seeking out what we as your Leaders can do
The citizens of Gloucester in thought of our findings
With our new ships captain at the wheel
Her goals guided by the reality of life
Searching in heart and soul anxious to reveal
The rewards of making our city greater and forthright
Our Gloucester will succeed in its goals
Its team work that will gain us our tomorrows
By guiding from wisdom new and heritage gold
With the lessons of even our youth to borrow
Through harmony and thinking before we act
Gloucester will again move forward and grow
Ignoring rumors and only listening to fact
Will we gain by what we reap and the imprints we sow?*

Kathryn Goodick, 10 Dogtown Road, submitted a written statement for the record (placed on file) and spoke to the water debt shift that she said has increased property taxes recently although lowering the per gallon water rate charges saying it is not a wash between the two – there is no offset. She expressed her concern that the water debt shift which increased property taxes is unfair, saying that her property taxes went up by \$200 for the fourth quarter of 2014. She said it is wrong to have annual increases to taxes to such a high extent. She said that Proposition 2 ½ has not offered the protection to homeowners from tax increases and should not have raised homeowners' taxes to

this high a level. She added with the steady rise of property taxes and sewer rates over the last seven years it appears that there has been no one working on a fiscally responsible city budget. She expressed concern with the increasing tax rates that she will be unable to continue to afford to live in Gloucester at this rate. She asked the Council to find a way to lower the property taxes as well as conduct a public hearing on the matter.

Amanda Kesterson, 293 Washington Street, also called for a public hearing regarding the water debt shift and increase of property taxes. She also addressed what she said was an issue of transparency and said in her opinion that the tax increase was voted this past June with little fanfare and discussion. She said she understood there was a public hearing to discuss the debt shift burden which she said was misleading and not easily understood. She cautioned that situations like this make people lose their faith in government which can only be restored through honesty and transparency.

Peter Cooney, 36 Warner Street, said his fourth quarter property tax bill was “shocking” and that his property value went up 33 percent which he said he thought was a mistake but learned that it wasn’t. He said that property assessments appear to be all over the map. He advised he had checked with the Assessors Department and learned the Assessors went by statistical analysis, but said he couldn’t understand why a multi-family dwelling next door to him had no increase in value when his property value increased at such a high rate.

Maria Leaman-Strauss, 3 Leaman Drive, also spoke to her shock with her increased tax bill which she found out about on Facebook, and said it was her understanding that no one knew about the increase in the property taxes. She said she has private water and lives on a private road, and only has children in the school system. She said the matter of the property taxes should be addressed plainly and be well known to the public.

Presentations/Commendations: Proposed Artwork for Solomon Jacobs Park

Former Mayor and City Councilor, **Bruce Tobey** and **Judith Hoglander**, Chair of the Committee for the Arts made the following presentation regarding a proposed installation of a sculpture, “High Seas” by David Black, a nationally renowned sculptor born and raised in Gloucester.

Mr. Tobey welcomed Mayor Theken. He also thanked the former Administration for bringing part of the costs of the installation of the sculpture forward; Council President Paul McGeary for his “dogged” attention to this matter over the course of several years, and to the B&F Committee Chair, Councilor Melissa Cox and to that Committee on their careful review of the funding which will be postponed in order to provide more transparency in the funding process and to hear more about the positive impact this installation will have on the community by furthering the city’s arts legacy. They presented a video highlighting the sculptor’s installations, and in his own words his thoughts on his art and creative process.

He suggested that public art is a way to leave a legacy to be honored for the future. The city has a strong public art legacy in the context of sculpture, citing examples of the Man at the Wheel, sculpted in 1923 by Leonard Craske, which was a gift to the community on the occasion of the city’s 300th anniversary; the Fisherman’s Wives Memorial unveiled in 2001 by sculptor Morgan Fauld Pike; the Joan of Arc statue which is one of six worldwide by sculptor Ann Hyatt Huntington; Walker Hancock’s Triton by a renowned sculptor known as a member of the famous World War II “Monuments Men”; Sea Harvest hosted by the Sawyer Free Library and sculpted by Aristides Burton-Demetrius; and the Fitz Henry Lane sculpture at Harbor Loop by sculptor Alfred Duca. He also cited private entities and individuals’ sculpture installations, such as the sculpture garden at the Cape Ann Museum and in the mini-park across from the museum with a striking sculpture, Dance of the Cranes by sculptor John Raimondi as well.

Mr. Tobey then highlighted Mr. Black’s background. He was born in 1928 in Gloucester, graduated from Gloucester High School in 1948 as valedictorian; graduated Wesleyan University; received a Master’s degree from Indiana University. He is a scientist and engineer as well as sculptor of international renown who has installations around the world and in many cities across the United States from Alaska to Washington, DC. He said Mr. Black captures movement and energy, challenging the mind, the heart and the senses; with a studio in Columbus, Ohio. He noted he is a Professor Emeritus in Sculpture at Indiana University. **Mr. Tobey** added with Mr. Black’s experiences in Gloucester he used his background here to create amazing pieces of art.

He then presented a power point presentation highlighting many examples of Mr. Black’s work in the United States and abroad. He especially highlighted one of Mr. Black’s sculptures installed in Akron, Ohio, memorializing the Wright Brothers first flight in Kitty Hawk, North Carolina. The sculpture is the actual flight path and exact distance of that flight with the figure of the plane moving through time and space.

Mr. Tobey showed the site plan for the proposed sculpture installation of Mr. Black’s work at the end of Solomon Jacobs Park on Harbor Loop adjacent to the harbor. It was noted there will be a substantial remediation of the area by National Grid prior to the installation due to it being the former site of the coal gasification plant and in

turn vast areas of open space will be preserved, **Mr. Tobey** said, for alternative uses. He showed a photo image of a view of the proposed “High Seas” sculpture, which will be 25 feet high, 40 feet wide.

He noted that the total project cost is \$150,000. Mr. Black will take no commission on the sculpture bringing the price down substantially, he said. He pointed out that the site preparation cost is substantial which would include the sculpture mount, ground treatment and some ground lighting will be taken care of by National Grid as their contribution to the project valued as much as \$50,000. The transport and the assembly are estimated to cost \$60,000-\$70,000. He said the hope is after a bit more public discussion, the city through its proposed support of \$30,000 from free cash will be moved into a sequestered account until the private fundraising for the sculpture’s installation and maintenance, a project he will be spearheading, will complete the funding.

A video was presented of sculptor David Black speaking about one of his first sculptures called “Breakers” which he explained came from his experiences as a child growing up in Gloucester and describing his sculpture he means to donate to the city as his gift and its impetus. He described the influence of hurricanes growing up in the city, and that the sculpture, “High Seas” will remind people of actual seas with the light reflecting off the high-gloss steel sculpture. He said he relished his time in the city, recalling proudly being valedictorian of the class of 1948 at GHS.

Mr. Tobey said that Mr. Black is as Gloucester as it gets and his work is recognized around the world. He concluded by saying that city has a unique opportunity before it.

Judith Hoglander, Chair of the Committee for the Arts, said it has been over two years since Mr. Black approached the Committee for the Arts (CFA) to bring a sculpture to his hometown. He always had Solomon Jacobs Park in mind, but because of the planned remediation of the park it wouldn’t be accessible as a site for the sculpture’s installation until 2017. She reviewed the CFTA’s process to make a determination as to what constitutes appropriate public art, how the CFA concluded that Solomon Jacobs Park was the most appropriate site, and reviewed further the costs associated with the sculpture’s installation and on-going maintenance. She also noted that the Kirk Administration had the cost of foundation of the sculpture written into the contract between the city and National Grid as part of the city’s negotiation.

Ms. Hoglander said the key to Mr. Black’s sculptures installations are the fact that many are installed in highly populated areas and are built so that they are safe for the public. She pointed out the lowest accessible point on High Seas is 12 feet high. She said that the CFTA strongly recommends the sculpture’s acceptance by the city. While there are other factors yet to be decided, she pointed out that there is no contemporary art in city-owned public spaces nor has a donation of this magnitude been made to the city in some time.

Mr. Tobey said that he looked forward to moving this project forward and honoring a son of Gloucester.

Councilor Cox offered to host a ward meeting with the CFTA members in attendance regarding the sculpture installation to take place Monday, Jan. 26 at 6 p.m. She said it would be a public meeting where questions can be asked. The meeting location is to be determined. **Council President McGeary** acknowledged he would also be in attendance.

Consent Agenda:

• CONFIRMATION OF NEW APPOINTMENTS

Community Development Director	Thomas Daniel	TTE 02/14/16
Chief Administrative Officer	Salvatore L. DiStefano, Sr.	TTE 02/14/16
Chief Financial Officer	John Dunn	TTE 02/14/16
City Engineer	Paul Keane	TTE 02/14/16
Personnel Director	Sally Polzin	TTE 02/14/16
Building Inspector	William Sanborn	TTE 02/14/16
Harbormaster	James Caulkett	TTE 02/14/18
Assessor	Gary Johnstone	TTE 02/14/18

• MAYOR’S REPORT

1. Special Budgetary Transfer Request (2015-SBT-28) from Police Department (Refer B&F)
2. Special Budgetary Transfer Request (2015-SBT-29) from Police Department (Refer B&F)
3. Special Budgetary Transfer Request (2015-SBT-30) from Police Department (Refer B&F)

• COMMUNICATIONS/INVITATIONS

• INFORMATION ONLY

1. Decision for the approval of the Gloucester Municipal Harbor Plan Renewal and Designated Port Area Master Plan (Info Only)
2. Memorandum from CFO John P. Dunn to City Council re: Fiscal 2015 Property Tax Bills (Info Only)

• APPLICATIONS/PETITIONS

• COUNCILORS ORDERS

1. CC2015-001 (Verga) Request P&D & O&A Standing Committees together and in connection with City Council Order 2014-039 Regarding the position of the Executive Director of the Fisheries Commission, assure that the structure of the Fisheries Commission Be consistent with the requirements of the Special Acts from 1956 through 1984 and Chapter 361 of the Acts of 1980 and Chapter 740 of the Acts of 1981 (Refer P&D & O&A)

2. CC2015-002 (Cox) Request the O&A and Traffic Commission review the parking restrictions in GCO Chapter 22 for Elm Street in The area between the intersection of Federal Street and Elm Street and the intersection of Main Street and the vicinity of 9 Elm Street and amend GCO Sec. 22-270, Sec. 22-273 and Sec. 22-274 (Refer O&A & TC)
- **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**
1. City Council Meeting: December 16, 2014 (Approve/File)
2. Special City Council Meeting: January 8, 2015 (under separate cover) (Approve/File)
3. Standing Committee Meetings: B&F 01/08/15 (under separate cover), O&A 01/05/15, P&D 01/07/15 (under separate cover) (Approve/File)

Unanimous Consent Agenda:

1. Memorandum from Mayor Theken regarding the withdrawal of reappointment of Salvatore L. DiStefano, Sr. as Chief Administrative Officer (Accept Withdrawal)
2. Memorandum from Mayor Theken regarding 90-day appointment of James Destino to the position of Chief Administrative Officer with a term to expire April 13, 2015 and 90-day appointment of Salvatore L. DiStefano, Sr. to the position of Economic Development Director with a term to expire April 13, 2015. (Info Only)

Items to be added/deleted from the Consent Agenda and Unanimous Consent Calendar:

Council President McGeary informed the Council that the Mayor wished to withdraw the reappointment of Salvatore DiStefano, Sr. as Chief Administrative Officer from the Consent Agenda.

Councilor Verga asked to remove Item #3 under Approval of Minutes, O&A 01/05/15. He said that the O&A Committee's minutes need to be amended - - that under the matter of City-owned Cemeteries Committee the incorrect chapter number was inserted into a motion, and that the correct Code of Ordinance chapter was listed as 2, and Art. 2. That needs to be replaced by, "Chapter 6, with no Article stated."

By unanimous consent the Council's Unanimous Consent Agenda and Council Unanimous Consent Calendar was accepted as amended.

Committee Reports:

Budget & Finance: January 8, 2015

B&F Unanimous Consent Agenda

MOTION: On a motion by Councilor Cox, seconded by Councilor Stewart, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (LeBlanc) absent, to accept the Budget & Finance Unanimous Consent Agenda dated January 13, 2015 as follows:

1. *Special Budgetary Requests 2015-SBT-25 and 2015-SBT-27 from Police Department*

MOTION: On motion by Councilor Cox, seconded by Councilor Stewart, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (LeBlanc) absent, to approve Special Budgetary Transfer 2015-SBT-25 in the amount of \$271.40 from Account #101000.10.292.51100.0000.00.000.00.051, Animal Control-Salary/Wage Permanent Position to Account #101000.10.218.51400.0000.00.000.00.051 Police-Parking, Salary/Wage-Longevity, for the purpose funding a deficit in the account.

MOTION: On motion by Councilor Cox, seconded by Councilor Stewart, the City Council voted 8 in favor, 0 opposed, 1 (LeBlanc) absent, to approve Special Budgetary Transfer 2015-SBT-27 in the amount of \$9,500 from Account #101000.10.211.51910.0000.00.000.00.051, Police-Uniform Tuition/Training Employee to Account #101000.10.211.55870.0000.00.000.00.054 Police Uniform Police Ammunition, for the purpose of purchasing ammunition for the Gloucester Police Department minimum training of firearms.

2. *Special Budgetary Request 2015-SBT-26 from the City Clerk's Office*

MOTION: On motion by Councilor Cox, seconded by Councilor Stewart, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (LeBlanc) absent, to approve Special Budgetary Transfer 2015-SBT-26 in the amount of \$1,500 from Account #101000.10.163.52700.0000.00.000.00.052, City Clerk-Rental of Facilities to

Account #101000.10.161.52550.0000.00.000.00.052 City Clerk-Office Furnishings, for the purpose of replacing window blinds.

3. Supplemental Appropriation-Budgetary Request 2015-SA-9 from DPW

MOTION: On a motion by Councilor Cox, seconded by Councilor Stewart, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (LeBlanc) absent, to approve Supplemental Appropriation 2015-SA-9 in the amount of \$30,000 from Account #294015.10.991.59600.0000.00.000.00.059, Highway Force, Transfer out to the General Fund to Account #101000.10.470.58415.0000.00.000.00.058, DPW Public Services, Paving for the purpose of funding various city paving projects.

***** END B&F UNANIMOUS CONSENT AGENDA *****

Administration's supplemental budget requests from free cash

Councilor Cox explained that the Administration's free cash requests total \$395,000 and that available Free Cash is just over \$2.4 million. A portion of the overall free cash must be set aside in support of the Fire Department's new contract. There were three appropriations that were not put forward yet through the B&F Committee. They are: Funds to replenish Mayor's contingency fund for \$10,000; \$24,000 for support of Economic Development; and \$150,000 for support of the School Department's Chromebook initiative. All three supplemental budget requests will be discussed at the B&F meeting of February 5 pending receipt of further information.

1. 2015-SA-10: Funds to support design and installation of David Black sculpture

COMMITTEE RECOMMENDATION: On a motion by Councilor McGeary, seconded by Councilor Fonvielle, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve Supplemental Appropriation 2015-SA-10 in the amount of \$30,000 (Thirty Thousand Dollars) from the General Fund-Undesignated Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.00.000 to Committee for the Arts Fund, Transfer from General Fund, Account # 295031.10.991.49700.0000.00.000.00.040 for the purpose of supporting the design and installation of a David Black sculpture as recommended by the Committee of the Arts.

DISCUSSION:

Councilor Cox proposed that the motion on the table, which was seconded by **Councilor Verga**, be continued to the next City Council meeting in order to obtain further information. By unanimous consent of the Council the matter was continued to January 27.

2. 2015-SA-12: Funds to allow for the reconfiguration of the server room at Gloucester High School

COMMITTEE RECOMMENDATION: On a motion by Councilor McGeary, seconded by Councilor Fonvielle, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve Supplemental Appropriation 2015-SA-12 in the amount of \$60,000 (Sixty Thousand Dollars) from the General Fund-Undesignated Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.00.000 to Management Information Systems, Replace Equipment, Account #101000.10.155.58700.0000.00.000.00.058 for the purpose of funding the reconfiguration of the server room at Gloucester High School.

DISCUSSION:

Councilor Cox explained that this appropriation is for the replacement of equipment for the GHS server room that was damaged during a storm. This is a high priority funding as the need is urgent. There will be an evaluation of the infrastructure as well as the capacity of the high school generator and other electrical matters related to the server room which is necessary for the equipment to be installed which this transfer supports. The work on the room will be done through a bond, as structure will be redone within the building associated with the server room equipment replacement and assessment. Some of the work can be done during the school year without disturbing the learning environment. There will be a site visit by the Committee, and is likely to take place during a school vacation. Council will be noticed of the date and time, she said.

MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (LeBlanc) absent, to approve Supplemental Appropriation 2015-SA-12 in the amount of \$60,000 (Sixty Thousand Dollars) from the General Fund-Undesignated Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.00.000 to Management Information Systems, Replace Equipment, Account #101000.10.155.58700.0000.00.000.00.058 for the purpose of funding the reconfiguration of the server room at Gloucester High School.

3. 2015-SA-14: Funds for Community Development to support economic development and other support activities

COMMITTEE RECOMMENDATION: On a motion by Councilor McGeary, seconded by Councilor Fonvielle, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve Supplemental Appropriation 2015-SA-14 in the amount of \$6,000 (Six Thousand Dollars) from the General Fund-Undesignated Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.00.000 to Community Development-Contractual Services, Account # 101000.10.181.52000.0000.00.000.00.052 for the purpose of financial support of the Downtown Block Parties and Summer Outdoor Movies.

DISCUSSION:

Councilor Cox briefly explained that this funding from free cash is in support the downtown block parties and a continuation of the summer outdoor movies. A Request For Proposal to run the 2015 Block Parties will be put forward after a careful review by the Community Development Director of the city's needs for a group to run next year's Block Parties.

MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (LeBlanc) absent, to approve Supplemental Appropriation 2015-SA-14 in the amount of \$6,000 (Six Thousand Dollars) from the General Fund-Undesignated Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.00.000 to Community Development-Contractual Services, Account # 101000.10.181.52000.0000.00.000.00.052 for the purpose of financial support of the Downtown Block Parties and Summer Outdoor Movies.

4. 2015-SA-15: Funds for Exhibit Space at the Seafood Exposition

COMMITTEE RECOMMENDATION: On a motion by Councilor McGeary, seconded by Councilor Fonvielle, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve Supplemental Appropriation 2015-SA-15 in the amount of \$10,000 (Ten Thousand Dollars) from the General Fund-Undesignated Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.00.000 to Community Development-Other Charges/Expenses, Account # 101000.10.181.57000.0000.00.000.00.057 for the purpose of covering expenses for exhibit space at the Boston Seafood Exposition.

DISCUSSION:

Councilor Cox explained this appropriation is to support the city's rental of a booth at the world's largest seafood exposition which takes place in Boston from March 15 to 17. Associated with this booth rental at \$3,200 are funds for a tour for exposition participants of the city, their transportation, booth giveaways and other ancillary expenses anticipated for the city's participation.

Councilor Ciolino said this funding was timely for the city's participation at the Seafood Exposition to promote the city and was pleased to see the funding come forward.

MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (LeBlanc) absent, to approve Supplemental Appropriation 2015-SA-15 in the amount of \$10,000 (Ten Thousand Dollars) from the General Fund-Undesignated Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.00.000 to Community Development-Other Charges/Expenses, Account # 101000.10.181.57000.0000.00.000.00.057 for the purpose of covering expenses for exhibit space at the Boston Seafood Exposition.

5. 2015-SA-16: Funds to supplement Fire Department Overtime for station openings

COMMITTEE REPORT: On a motion by Councilor McGeary, seconded by Councilor Fonvielle, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve Supplemental Appropriation 2015-SA-16 in the amount of \$100,000 (One Hundred Thousand Dollars) from the General Fund-Undesignated Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.00.000 to Fire Department-Salary/Wages, Overtime, Account #101000.10.220.51300.0000.00.000.00.051 for the purpose of funding fire station openings that may incur overtime salary and wages.

DISCUSSION:

Councilor Cox said this free cash appropriation is for overtime expenses due to many on-the-job injuries in the Fire Department this year -- a total of nine firefighters are out long-term and some are off the job. The department is fully staffed but there are upcoming retirements at the end of January and March (3 in total), which is factored into the staffing situation. New hires won't start until the next budget year, she noted. These funds would see the department through the end of the fiscal year, and once the account is re-balanced, with the minimum staffing at 16 and 18 which opens Magnolia Station, the remaining funds will be divided through the stations to keep them open in the same way it was handled in the last fiscal year.

Council President McGeary said at the B&F meeting, the members learned that this has been an unfortunate and unusual year for the department in terms of employee injuries and illness. He said it was hoped the Fire Department would get by without overtime with the new staffing structure, this was a "lightning strike" situation and the overtime funding is needed.

MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (LeBlanc) absent, to approve Supplemental Appropriation 2015-SA-16 in the amount of \$100,000 (One Hundred Thousand Dollars) from the General Fund-Undesignated Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.00.000 to Fire Department-Salary/Wages, Overtime, Account #101000.10.220.51300.0000.00.000.00.051 for the purpose of funding fire station openings that may incur overtime salary and wages.

6. 2015-SA-17: Funds to purchase new commercial dishwasher for Rose Baker Senior Center

COMMITTEE RECOMMENDATION: On a motion by Councilor McGeary, seconded by Councilor Fonvielle, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve Supplemental Appropriation 2015-SA-17 in the amount of \$5,000 (Five Thousand Dollars) from the General Fund-Undesignated Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.00.000 to Council on Aging, Capital Outlay, Account #101000.10.541.58425.0000.00.000.00.058 for the purpose of purchasing a new commercial dishwasher for the Rose Baker Senior Center.

DISCUSSION:

Councilor Cox said that this commercial dishwasher that is needed by the Senior Center as the current one is leaking. She noted it is difficult to hold many Senior Center events and initiatives while still adhering to health codes with the dishwasher there now. She pointed that this was a perfect example of free cash use.

MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (LeBlanc) absent, to approve Supplemental Appropriation 2015-SA-17 in the amount of \$5,000 (Five Thousand Dollars) from the General Fund-Undesignated Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.00.000 to Council on Aging, Capital Outlay, Account #101000.10.541.58425.0000.00.000.00.058 for the purpose of purchasing a new commercial dishwasher for the Rose Baker Senior Center.

Ordinances & Administration: January 5, 2015

Due to his absence from the O&A meeting of January 5, **Councilor Whynott** deferred the presentation of the O&A Committee Report and matters to come forward at public hearing to Councilor Verga who attended as an alternate member.

1. *Memorandum from Harbormaster re: new parking area for resident only parking at Hodgkins Cove Public Landing*

COMMITTEE RECOMMENDATION: On a motion by Councilor Verga, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council permit the withdrawal of the matter the “Memorandum from Harbormaster re: new parking area for resident only parking at Hodgkins Cove Public Landing, and close the matter.”

DISCUSSION:

Councilor Verga said this was a submittal to the Council by the Harbormaster asking for a parking area at a public landing, but that the Harbormaster asked that it be withdrawn, and so this action closes the administrative loop.

MOTION: On a motion by Councilor Verga, seconded by Councilor Cox, the City Council voted 8 in favor, 0 opposed, 1 (LeBlanc) absent, to permit the withdrawal of the matter the “Memorandum from Harbormaster re: new parking area for resident only parking at Hodgkins Cove Public Landing, and close the matter.”

2. *Approval of negotiated contract between the City of Gloucester & Fire Chief for the period of July 1, 2015 through June 30, 2020*

COMMITTEE RECOMMENDATION: On a motion by Councilor Verga, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve the negotiated contract between the City of Gloucester and Fire Chief Eric for the term of July 1, 2015 through June 30, 2020 under GCO c. 8, Sec. 8-18(d).

DISCUSSION:

Councilor Verga said that the matter of the Fire Chief's negotiated contract approval was one of the last matters Mayor Kirk wrapped up before her exit. He expressed his and the O&A Committee's endorsement of the five-year contract for Fire Chief Eric Smith. He noted that the Chief had requested the five year term which he said was allowed by ordinance.

Council President McGeary said Chief Smith has done a terrific job and has brought the Gloucester Fire Department along carefully yet thoroughly, and that the city is much the better for his presence.

MOTION: On a motion by Councilor Verga, seconded by Councilor Fonvielle, the City Council voted 8 in favor, 0 opposed, 1 (LeBlanc) absent, to approve the negotiated contract between the City of Gloucester and Fire Chief Eric for the term of July 1, 2015 through June 30, 2020 under GCO c. 8, Sec. 8-18(d).

3. *Withdrawal of Management Reappointments:*

General Counsel

Suzanne Egan

TTE 02/14/16

COMMITTEE RECOMMENDATION: On a motion by Councilor Verga, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council allow the withdrawal of Suzanne Egan for consideration for reappointment to the position of General Counsel due to Ms. Egan's resignation effective 01/02/2015.

DISCUSSION:

Councilor Verga reminded the Council there is no need to reappoint Ms. Egan as she is no longer employed by the city with the advent of her resignation effective Jan. 2.

Council President McGeary thanked Ms. Egan for her work for the city over the years noting she was always helpful to him with legal questions, and a good legal scholar. He wished her well in her new endeavor.

MOTION: On a motion by Councilor Verga, seconded by Councilor Cox, the City Council voted 8 in favor, 0 opposed, 1 (LeBlanc) absent, to allow the withdrawal of Suzanne Egan for consideration for reappointment to the position of General Counsel due to Ms. Egan's resignation effective 01/02/2015.

4. CC2014-052 (Verga/Theken) Request that City Council establish "The Ab Khambaty Extraordinary Performance/Service Award"

COMMITTEE RECOMMENDATION: On a motion by Councilor Verga, seconded by Councilor LeBlanc the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council establish "The Ab Khambaty Extraordinary Performance/Service Award." This shall be awarded, from time to time as seen fit by the City Council, to an individual or group that has contributed to the civic improvement of the City of Gloucester. In recognition of this extraordinary performance or service, a "master" plaque shall hang in the Kyrouz Auditorium describing the name and purpose of the award, and name of the recipients added continually to the plaque.

Further, the City Council will award a personalized certificate to the individual or group. Nominations for the award may be made by City Councilors as well as members of the general public and will be reviewed for consideration by the City Council. Following a vote by the Council to name an award recipient, a recognition ceremony will be held at a regularly scheduled City Council meeting.

DISCUSSION:

Councilor Whynott said Councilors explained that Councilors used to nominate publicly candidates for the Mariner's Medal which then reverted to making nominations via written communication and suggested the same should be done for this new award.

Councilor Verga recounted that at the time the Council voted to install a plaque in honor of former Councilor Hardy, at that time, former Councilor Theken suggested that the Council should honor former Councilor Ab Khambaty's service to the city who passed away last year. He explained that this award is being established to highlight the extraordinary actions and achievements by an average person in the community who puts themselves forward on behalf of the city. He said this award was crafted to resemble to the extraordinary service award established by the School Committee, named in honor of Al Swekla and Margaret Wilmot who were also the first recipients of the award. He noted the School Committee's award is not given annually, and has been given to several outstanding individuals in service to the community, Jonathan Pope and Kim Normand, and Pat Earle. He said this is a fitting tribute to Mr. Khambaty for his years serving the city, not just for his tenure as a City Councilor but spearheading so many other important city-related matters, and expressed his wholehearted supported the creation of the award.

Council President McGeary conveyed to the Council he had spoken to Mr. Khambaty's widow, Lynn, whom he said is thrilled, as the entire Khambaty family, with the award's creation.

MOTION: On a motion by Councilor Verga, seconded by Councilor Fonvielle, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (LeBlanc) absent, to establish "The Ab Khambaty Extraordinary Performance/Service Award." This shall be awarded, from time to time as seen fit by the City Council, to an individual or group that has contributed to the civic improvement of the City of Gloucester. In recognition of this extraordinary performance or service, a "master" plaque shall hang in the Kyrouz Auditorium describing the name and purpose of the award, and name of the recipients added continually to the plaque. Further, the City Council will award a personalized certificate to the individual or group. Nominations for the award may be made by City Councilors as well as members of the general public and will be reviewed for consideration by the City Council. Following a vote by the Council to name an award recipient, a recognition ceremony will be held at a regularly scheduled City Council meeting.

Planning & Development: January 7, 2015

COMMITTEE RECOMMENDATION: On a motion by Councilor Fonvielle, seconded by Councilor LeBlanc, the Planning & Development Committee voted 3 in favor, 0 opposed, to recommend that the City Council permit the

Lone Gull 10K Road Race sponsored by the Children's Center for Communication to be held Sunday, September 20, 2015 with the following conditions:

1. A Certificate of Insurance naming the City of Gloucester as an additional insured party has been filed with the City Clerk's office on or before August 31, 2015.
2. Road Closure Plan:
Memoranda from the Police Department and the Fire Department or approvals through the Special Events Advisory Committee giving approval of the plans for the Lone Gull 10K Road Race on or before September 14, 2015. Roads to be closed are to be marked with signage directing the public as to the duration of the closure and alternate routes. Traffic and parking plan and police detail information by the Police Chief or his designee is to be filed with the City Clerk and the DPW Director or his designee on or before September 14, 2015.
3. Refuse and Comfort Stations:
All event refuse and recycling must be removed by the organizer. Any portable toilets (with two handicapped accessible) are to be provided and maintained by the organizer, placed the evening before the day of the event or early in the morning of the day of the event and be removed by 1:00 p.m., Sunday, September 20, 2015.
4. Emergency Services:
Any EMS requirements of the City EMS Director must be met.
5. Staffing:
Event staff is to have cell phones and be identified by the public with distinct shirts. A list of event staff and their cell phone numbers is to be submitted to the Police, Fire, or DPW Departments.
6. Notification of Immediate Abutters and Businesses to Parade Route:
Notice shall be made by the event organizer by hand or by mail no later than 7 (seven) days in advance of the event to any function halls, motels and hotels, and other businesses along the race route.
7. Responsibility of the Children's Center for Communication:
The applicant is also required to obtain any necessary approvals from the Licensing Board, the Health Department, and the Licensing Commission. It is the sole responsibility of the Children's Center for Communication to ensure that all required documentation is timely filed with the appropriate City departments as indicated. Failure to comply with any conditions precedent may result in permit revocation. Any changes to the route must receive prior approval from the Police and Fire Departments.

DISCUSSION:

Councilor Verga said that this event has been run for many years with no changes from last year's plans. He noted that the Special Events Advisory Committee voted in favor of holding the 2015 event as did P&D.

MOTION: On a motion by Councilor Verga, seconded by Councilor Cox, the City Council voted 8 in favor, 0 opposed, 1 (LeBlanc) absent, to permit the Lone Gull 10K Road Race sponsored by the Children's Center for Communication to be held Sunday, September 20, 2015 with the following conditions:

1. A Certificate of Insurance naming the City of Gloucester as an additional insured party has been filed with the City Clerk's office on or before August 31, 2015.
2. Road Closure Plan:
Memoranda from the Police Department and the Fire Department or approvals through the Special Events Advisory Committee giving approval of the plans for the Lone Gull 10K Road Race on or before September 14, 2015. Roads to be closed are to be marked with signage directing the public as to the duration of the closure and alternate routes. Traffic and parking plan and police detail information by the Police Chief or his designee is to be filed with the City Clerk and the DPW Director or his designee on or before September 14, 2015.
3. Refuse and Comfort Stations:
All event refuse and recycling must be removed by the organizer. Any portable toilets (with two handicapped accessible) are to be provided and maintained by the organizer, placed the evening before the day of the event or early in the morning of the day of the event and be removed by 1:00 p.m., Sunday, September 20, 2015.
4. Emergency Services:

Any EMS requirements of the City EMS Director must be met.

5. Staffing:

Event staff is to have cell phones and be identified by the public with distinct shirts. A list of event staff and their cell phone numbers is to be submitted to the Police, Fire, or DPW Departments.

6. Notification of Immediate Abutters and Businesses to Parade Route:

Notice shall be made by the event organizer by hand or by mail no later than 7 (seven) days in advance of the event to any function halls, motels and hotels, and other businesses along the race route.

7. Responsibility of the Children's Center for Communication:

The applicant is also required to obtain any necessary approvals from the Licensing Board, the Health Department, and the Licensing Commission. It is the sole responsibility of the Children's Center for Communication to ensure that all required documentation is timely filed with the appropriate City departments as indicated. Failure to comply with any conditions precedent may result in permit revocation. Any changes to the route must receive prior approval from the Police and Fire Departments.

COMMITTEE RECOMMENDATION: On a motion by Councilor Fonvielle, seconded by Councilor LeBlanc, the Planning & Development Committee voted 3 in favor, 0 opposed, to recommend that the City of Gloucester accept ownership of and full responsibility for the sewer extension and all existing laterals based on submitted "as built" that lay within the streets known as Eagle Road in its entirety constructed by Jim Ketchopoulos and Sons, 40 School Street, Rockport, MA, and as shown on the plan entitled "As-Built Sewer Extension Plan" prepared by Gateway Engineering, 33 Forest Hill Avenue, Lynnfield, MA, dated 9/28/08 with the following conditions:

1. That the existing current DPW Rules and Regulations pertaining to the city's acceptance of private sewers are adhered to;
2. That the homeowner residing at Eagle Road #4 represented by Nicolette C. Van Stigt of Eagle Road and the City of Gloucester by its appropriate Administrative staff coordinates the execution and exchange of all documents deemed necessary by the City of Gloucester's legal office to effectuate the transfer of ownership and control of the as-built sewer project to the City of Gloucester.

DISCUSSION:

Councilor Verga noted the acceptance of the Eagle Road private sewer was recommended by the DPW Director.

MOTION: On a motion by Councilor Verga, seconded by Councilor Cox, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (LeBlanc) absent, that the City of Gloucester accept ownership of and full responsibility for the sewer extension and all existing laterals based on submitted "as built" that lay within the streets known as Eagle Road in its entirety constructed by Jim Ketchopoulos and Sons, 40 School Street, Rockport, MA, and as shown on the plan entitled "As-Built Sewer Extension Plan" prepared by Gateway Engineering, 33 Forest Hill Avenue, Lynnfield, MA, dated 9/28/08 with the following conditions:

1. That the existing current DPW Rules and Regulations pertaining to the city's acceptance of private sewers are adhered to;
2. That the homeowner residing at Eagle Road #4 represented by Nicolette C. Van Stigt of Eagle Road and the City of Gloucester by its appropriate Administrative staff coordinates the execution and exchange of all documents deemed necessary by the City of Gloucester's legal office to effectuate the transfer of ownership and control of the as-built sewer project to the City of Gloucester.

The Council recessed at 8:16 p.m. and reconvened at 8:22 p.m.

Scheduled Public Hearings:

1. PH2015-001: Amend GCO Chapter 2, Article V by adding new subsection re: The Linzee Coolidge Philanthropy Award Committee

This public hearing is opened at 8:22 p.m.

Those speaking in favor: None.

Those speaking in opposition: None.

Communications: None.

Councilor Questions: None.

This public hearing is closed at 8:22 p.m.

COMMITTEE RECOMMENDATION: On a motion by Councilor Verga, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO c. 2, Article V Boards, Commissions, Councils and Committees, The Linzee Coolidge Philanthropy Award Committee by adding a new subsection Div. 6B as follows:

DIVISION 6B. THE LINZEE COOLIDGE PHILANTHROPY AWARD COMMITTEE

Sec. 2-477. Purpose

The Linzee Coolidge Philanthropy Award is hereby created in honor and recognition of the contributions made by Linzee Coolidge through the Dusky Foundation to organizations which benefit the citizens of Gloucester. The Linzee Coolidge Philanthropy Award is created to foster philanthropy in Gloucester and to encourage others to model their philanthropic giving on Linzee Coolidge's generosity and commitment to the civil community of Gloucester.

Sec. 2-478. Criteria

The Linzee Coolidge Philanthropy Award is the highest honor for philanthropic giving, financial or otherwise, to be bestowed by the City of Gloucester. As such, the Linzee Coolidge medallion may be awarded to individuals who demonstrate substantial generosity and contributions to the City of Gloucester which meet or exceed the contributions in the tradition of Samuel Sawyer and Linzee Coolidge.

Sec. 2-479. Medallion

The Linzee Coolidge Philanthropy Medallion shall be awarded to a citizen in appreciation for outstanding generosity, caring and notable philanthropy which has contributed to the betterment of the community.

Sec. 2-480. Committee

- a) There shall be a Linzee Coolidge Philanthropy Award Committee which shall consist of four persons appointed by the mayor. The mayor shall serve on the Committee and shall be the fifth member thereof. The terms of the members shall be coterminous with the Mayor.
- b) None of the four appointed members of the Committee shall hold any elective or appointive office with the government of the City when appointed, and should they later hold such an office, their membership on the Committee shall be declared vacated. The Committee shall serve an executive function within the administration of the Mayor's Office.

Sec. 2-481. Chairperson

The mayor or his/her designee shall be the chairperson of the Committee.

Sec. 2-482. Duties

It shall be the duty of the Linzee Coolidge Philanthropy Award Committee to establish and seek to maintain high standards for bestowing the award on any person demonstrating a substantial record of generosity and commitment to the civil community of the City of Gloucester. The Committee, after investigation and consideration of all the facts, shall recommend to the City Council the awarding of the Linzee Coolidge Philanthropy Medallion to such person or persons as the Committee deems deserving to receive the award.

DISCUSSION:

Council President McGeary explained that at the December meeting the Council presented Mr. Coolidge with the first of the Linzee Coolidge awards, and at the time it was determined it would be a good thing to have a medal for those who make similar gifts of philanthropy to the city, modeled on the Mariner's Medal as well, and recommended the ordinance amendment adoption.

MOTION: On a motion by Councilor Verga, seconded by Councilor Lundberg, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (LeBlanc) absent, to Amend GCO c. 2, Article V Boards, Commissions, Councils and Committees, The Linzee Coolidge Philanthropy Award Committee by adding a new subsection Div. 6B as follows:

DIVISION 6B. THE LINZEE COOLIDGE PHILANTHROPY AWARD COMMITTEE

Sec. 2-477. Purpose

The Linzee Coolidge Philanthropy Award is hereby created in honor and recognition of the contributions made by Linzee Coolidge through the Dusky Foundation to organizations which benefit the citizens of Gloucester. The Linzee Coolidge Philanthropy Award is created to foster philanthropy in Gloucester and to encourage others to model their philanthropic giving on Linzee Coolidge's generosity and commitment to the civil community of Gloucester.

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- a) There shall be a Linzee Coolidge Philanthropy Award Committee which shall consist of four persons appointed by the mayor. The mayor shall serve on the Committee and shall be the fifth member thereof. The terms of the members shall be coterminous with the Mayor.
- b) None of the four appointed members of the Committee shall hold any elective or appointive office with the government of the City when appointed, and should they later hold such an office, their membership on the Committee shall be declared vacated. The Committee shall serve an executive function within the administration of the Mayor's Office.

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It shall be the duty of the Linzee Coolidge Philanthropy Award Committee to establish and seek to maintain high standards for bestowing the award on any person demonstrating a substantial record of generosity and commitment to the civil community of the City of Gloucester. The Committee, after investigation and consideration of all the facts, shall recommend to the City Council the awarding of the

Linzee Coolidge Philanthropy Medallion to such person or persons as the Committee deems deserving to receive the award.

2. PH2015-002: Loan Order 2014-011: Loan Authorization in the amount of \$460,000 for the Coastal Community Resilience Grant Program, Little River Restoration

This public hearing is opened at 8:25 p.m.

Those speaking in favor:

John Dunn, CFO, explained that this loan order even though it is in the gross amount of \$460,000 is really intended to cover a match of \$150,000 for the \$310,000 grant from the state. They are asking the Council approve the match funds at maximum of \$150,000. The loan would entail a modest principal payment of \$7,500 a year and the interest in the first year of \$5,500 would decline through the life of the loan, he said.

Those speaking in opposition: None.

Communications: None.

Councilor Questions:

Council President McGeary said the authorization language is for \$460,000 but the intent is to only bond for \$150,000. **Mr. Dunn** assured the Council that the maximum amount of debt issued will be \$150,000, but the language from state Bond Counsel is to authorize borrowing for the entire project cost of \$460,000 and is typical loan order language.

This public hearing is closed at 8:28 p.m.

COMMITTEE RECOMMENDATION: On a motion by Councilor McGeary, seconded by Councilor Fonvielle, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve the following loan order:

Ordered: That the City of Gloucester appropriates Four Hundred Sixty Thousand Dollars (\$460,000) to pay costs of surface drainage improvement projects at the West Gloucester Water Treatment Plant, including the payment of all costs incidental or related thereto. To meet this appropriation the Treasurer, with the approval of the Mayor is authorized to borrow said amount under and pursuant to M.G. L. Chapter 44, Section 7(1), or pursuant to any other enabling authority. The Mayor and another appropriate official of the City are authorized to apply for and accept any and all grants or gifts that may be available to the City to pay costs of the project provided that the amount of the authorized borrowing shall be reduced by the amount of such aid received prior to the issuance of bonds or notes under this order.

Further Ordered: That the Treasurer is authorized to file an application with the Municipal Finance Oversight Board to qualify under Chapter 44A of the General Laws any or all of the bonds authorized by this order and to provide such information and execute such documents as the Municipal Finance Oversight Board may require for these purposes.

DISCUSSION:

Councilor Cox explained there was a grant acceptance that will subsidize the cost of the Little River restoration project, saying it is a winning situation for the city. She noted this was an extremely competitive grant which the city won, and is the city's best interest to move forward with the grant match financing.

Councilor Fonvielle pointed out this is about the restoration of an environmental asset and was a positive thing to do. The area is approximately where Rte. 133 has a large bend in the road near the water treatment plant adjacent to the Wellspring House property on Essex Avenue.

Council President McGeary thanked Wellspring House their cooperation which entailed a small land swap with the city allowing the restoration project to move forward.

MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (LeBlanc) absent, to approve the following loan order:

Ordered: That the City of Gloucester appropriates Four Hundred Sixty Thousand Dollars (\$460,000) to pay costs of surface drainage improvement projects at the West Gloucester Water Treatment Plant, including the payment of all costs incidental or related thereto. To meet this appropriation the Treasurer, with the

approval of the Mayor is authorized to borrow said amount under and pursuant to M.G. L. Chapter 44, Section 7(1), or pursuant to any other enabling authority. The Mayor and another appropriate official of the City are authorized to apply for and accept any and all grants or gifts that may be available to the City to pay costs of the project provided that the amount of the authorized borrowing shall be reduced by the amount of such aid received prior to the issuance of bonds or notes under this order.

Further Ordered: That the Treasurer is authorized to file an application with the Municipal Finance Oversight Board to qualify under Chapter 44A of the General Laws any or all of the bonds authorized by this order and to provide such information and execute such documents as the Municipal Finance Oversight Board may require for these purposes.

3. PH2015-003: Amend GCO Sec. 22-269 "Stop Intersections" by adding Flume Road at its intersection with Fuller Street

This public hearing is opened at 8:31 p.m.

Those speaking in favor: None.

Those speaking in opposition: None.

Communications: None.

Councilor Questions: None.

This public hearing is closed at 8:31 p.m.

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor Verga, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Chapter 22 "Traffic," Sec. 22-269 "Stop intersections" by ADDING: "Flume Road at its intersection with Fuller Street."

DISCUSSION:

Councilor Fonvielle stated that this is in the area of the Magnolia Fire Station which is at the bottom of a hill making it an important to maintain vehicular safety. There is talk of making Lexington Avenue one way to Flume Road so that this would be a timely change, he said.

MOTION: On a motion by Councilor Verga, seconded by Councilor Fonvielle, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (LeBlanc) absent, to Amend GCO Chapter 22 "Traffic," Sec.22-269 "Stop intersections" by ADDING: "Flume Road at its intersection with Fuller Street."

4. PH2015-004: Amend GCO Sec. 22-269 "Stop Intersections" by adding Crafts Road for motor vehicles heading in a northerly direction at its intersection with Ye Old County Road

This public hearing is opened at 8:33 p.m.

Those speaking in favor: None.

Those speaking in opposition: None.

Communications: None.

Councilor Questions: None.

This public hearing is closed at 8:33 p.m.

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor Verga, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Chapter 22 "Traffic," Sec.22-269 "Stop intersections" by ADDING: "Crafts Road at the intersection with Ye Old County Road."

DISCUSSION:

Councilor Fonvielle explained Crafts Road is a major thoroughfare in Magnolia, and that a portion of this the intersection is blind to one side, and an area with young children which makes the installation of a stop sign appropriate.

MOTION: On a motion by Councilor Verga, seconded by Councilor Fonvielle, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (LeBlanc) absent, to Amend GCO Chapter 22 "Traffic," Sec. 22-269 "Stop intersections" by ADDING: "Crafts Road at the intersection with Ye Old County Road."

5. PH2015-005: Amend GCO Sec. 22-153 "Privately-owned open-air parking spaces"

This public hearing is opened at 8:35 p.m.

Those speaking in favor:

Those speaking in opposition: None.

Communications: Angela Procaccini, owner of one of the two permitted licensed open air private parking lots at 2 Long Beach Road, expressed her support of the ordinance amendment.

Councilor Questions: None.

This public hearing is closed at 8:35 p.m.

COMMITTEE RECOMMENDATION: On a motion by Councilor Theken, seconded by Councilor Stewart, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO c. 22, Sec. 22-153 "Privately owned open-air parking spaces by DELETING the entire section and adding a new Section 22-153 as follows:

- (a) *Authority to grant license and compliance with zoning.* The City Council is authorized to grant licenses for the conduct or maintenance of open-air parking spaces, pursuant to MGL c.148 §56 following a public hearing as specified in subsection (e) of this section. Applicants for a license under this section must first obtain any necessary zoning relief required by sec. 2.3.6 (1) or (2) of the Zoning Ordinance for parking lots or obtain certification from the Building Inspector that no such relief is needed. Any applicant who does not own the premises shall provide written permission of the property owner with the application.
- (b) *Contents, limitations, suspension and revocation of license.* Every license issued under this section shall specify the premises to be occupied by the licensee as shown on a plan to be submitted to the City Council and shall be subject to all the provisions of MGLc.148 §56. The license may be suspended or revoked by the City Council and the Fire Chief after notice and a public hearing. Licenses shall be non-transferable.
- (c) *Penalty for engaging in business without a license.* Any person or entity who engages in the business of conducting an open air parking space without the license required herein shall be subject to the penalty of \$300 as provided in MGL c.148 §56.
- (d) *Fee for open-air parking.* The fee for the initial license granted shall be \$100 plus an additional \$10 for each parking space and said license shall expire each year on April 30th and be renewable on a yearly basis for the same fee.
- (e) *Review by City Council and Public Hearing.* The City Council shall hold a public hearing every 5 years to determine if the license shall be reissued for another 5 year term with 7 days' notice to abutters to be given by the parking lot applicant/operator.

DISCUSSION:

Linda T. Lowe, City Clerk, explained that due to the recent renewals of the city's two permitted licensed open-air parking lots, it came to the Planning & Development Committee's attention that there was a need to update and amend the section of the ordinance that governs the permitting process. She said a lot of the provisions in the ordinance are quite old with some being less than clear, including the terms of the permit when granted. The owners of the two permitted open air parking lots have seen the changes; she pointed out, and are in agreement with them.

Council President McGeary advised that Mrs. Procaccini, a constituent of his, had pointed out an internal discrepancy in the ordinance of a three-year term and a five-year renewal. There was an effort to make the length of the terms of the permits to be in accordance with each other.

MOTION: On a motion by Councilor Verga, seconded by Councilor Cox, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (LeBlanc) absent, to Amend GCO c. 22, Sec. 22-153 "Privately owned open-air parking spaces by DELETING the entire section and adding a new Section 22-153 as follows:

(a) *Authority to grant license and compliance with zoning.* The City Council is authorized to grant licenses for the conduct or maintenance of open-air parking spaces, pursuant to MGL c.148 §56 following a public hearing as specified in subsection (e) of this section. Applicants for a license under this section must first obtain any necessary zoning relief required by sec. 2.3.6 (1) or (2) of the Zoning Ordinance for parking lots or obtain certification from the Building Inspector that no such relief is needed. Any applicant who does not own the premises shall provide written permission of the property owner with the application.

(b) *Contents, limitations, suspension and revocation of license.* Every license issued under this section shall specify the premises to be occupied by the licensee as shown on a plan to be submitted to the City Council and shall be subject to all the provisions of MGLc.148 §56. The license may be suspended or revoked by the City Council and the Fire Chief after notice and a public hearing. Licenses shall be non-transferable.

(c) *Penalty for engaging in business without a license.* Any person or entity who engages in the business of conducting an open air parking space without the license required herein shall be subject to the penalty of \$300 as provided in MGL c.148 §56.

(d) *Fee for open-air parking.* The fee for the initial license granted shall be \$100 plus an additional \$10 for each parking space and said license shall expire each year on April 30th and be renewable on a yearly basis for the same fee.

(e) *Review by City Council and Public Hearing.* The City Council shall hold a public hearing every 5 years to determine if the license shall be reissued for another 5 year term with 7 days' notice to abutters to be given by the parking lot applicant/operator.

6. PH2015-006: SCP2014-12: Thatcher Road #78, Map 179, Lot 44, GZO Sec. 2.3.1.7 conversion to or new multi-family or apartment dwelling, four to six dwelling units and Sec. 5.7.1 Major Projects

Ms. Lowe explained that the City Council was in receipt of a letter from the applicant requesting a continuance to January 27 which would otherwise take the application past its statutory deadline.

Council President McGeary then opened the public hearing at 8:38 p.m. and announced its continuance to January 27, 2015.

7. PH2015-007: SCP2014-013: Mt. Pleasant Avenue #125, Map 79, Lot 17, GZO Sec. 1.10.1(a) and Sec. 3.1.6(b) building height in excess of 35 feet

This public hearing is opened at 8:39: p.m.

Those speaking in favor:

Attorney Joel Favazza, Seaside Legal Solutions, 111 Main Street, Gloucester, representing Marc and Melissa Cunningham, owners of Mt. Pleasant Avenue #125, Map 79, Lot 17, explained the following regarding the Special Council Permit application of the Cunningham's who are seeking a height exception:

OVERVIEW:

The house has been in Mr. Cunningham's family for many years. The current owners purchased the family home 10 years ago and began renovations on the existing portion of the house while living in it, which are now completed. Phase 2 of their long-term plan is for an addition now being completed that will seat a second unit which they have moved into with a prospective purchaser having moved into the first unit as a tenant, with an eye once permitted that the two units will be made into a two-unit condominium. He noted a site plan (on file) to the Council, and described the large lot which is almost 49,000 square feet which is about five times the minimum lot size. He noted there is a 20 foot side yard setback to the property, although the Zoning Ordinance only calls for a 10 foot setback, and 20 feet front and rear. He indicated there is a 20 foot border around the entire lot. The addition sits northwest of the current house. At its highest the addition is actually is 34 feet, 3 inches above average grade and otherwise meets all the normal requirements for the Zoning Ordinance and has received the necessary permission from the Zoning Board of Appeals (ZBA).

Due to a technicality that although the existing house is not being altered, the matter is before the Council because the way the city measures average grade for a structure is by taking measurements of the elevation at all corners of the structure and average it. Because the addition is down grade and adding a lot of corners with lower elevations, technically the ridge line of the existing house although not physically being altered, its height is going from 37 feet, 3 inches above average grade to 38 feet, 8 inches above average grade and requires a Special Council Permit.

GZO SEC. 1.8.3 and 3.1.6 (b) COMPLIANCE:

Mr. Favazza acknowledged that the application six requirements of GZO Sec. 1.8.3 for a Special Council Permit as follows:

1. Social, economic and community needs: The lot is almost five times the minimum lot size for an R-10 lot (medium/high density residential). By allowing another unit on the property fulfills the goals of the zoning district.
2. Traffic flow and safety: The lot contains a more than adequate driveway with plenty of parking on site.
3. Utilities and other public services: The lot is sited in a residential neighborhood, and the existing building has adequate utilities.
4. Neighborhood character and social structure: It was reiterated this was a medium/high density residential area and adding a unit to an existing home fits in.
5. Qualities of the Natural Environment: Even with the addition to the main building, it will still be only 11 percent lot coverage, and therefore there would be a large amount of natural greenspace remaining.
6. Potential fiscal impact: Through the sale of the second unit, it will allow the current owners to finance the construction of the second unit and allow them to move back onto the property.

Under Sec. 3.1.6(b) which is criteria for a Special Permit for Building Heights in Excess of Sec. 3.2 Limits,

Mr. Favazza conveyed the following information:

1. The height must be in keeping with neighborhood character. The trigger for the Special Council Permit is the 100 year old house. Within the immediate vicinity there are at least three other lots where there are actually two separate buildings with a dwelling unit in each, and so the addition to the applicant's property is fitting.
2. The height is not substantially detrimental to the neighborhood as there is no obstruction of views, overshadowing, and impairment of utilities to neighboring properties or other adverse impacts.
3. The lot is almost five times larger than required under the Zoning Ordinance and provides no detriment to the neighborhood. It was noted that many neighbors came out in support of the changes to the property at the ZBA public hearing as well as putting forward of their own volition a petition containing 19 signatures in support of the Cunningham's application (on file).

Pointing out that the project has strong neighborhood support, and meets the various zoning ordinance factors, he asked the Council to grant a Special Council Permit for a height exception.

Those speaking in opposition: None.

Communications: None.

Councilor Questions:

Responding to a question from **Councilor Ciolino**, **Mr. Favazza** reiterated the height exception is for 38 feet, 8 inches.

Mr. Favazza pointed out on the displayed lot plan to the **Council President**, at his inquiry, a series of garages which will remain untouched that have been on the property for some time.

COMMITTEE RECOMMENDATION: On a motion by Councilor Lundberg, seconded by Councilor LeBlanc, the Planning & Development Committee voted 3 in favor, 0 opposed, to recommend that the City Council grant to Marc Cunningham and Melissa Cunningham a Special Council Permit (SCP2014-013) for the property located at Mt. Pleasant Avenue #125 (Assessor's Map 79, Lot 17), zoned R-10, pursuant to Gloucester Zoning Ordinance Sections 1.10.1(a)(1) and 3.1.6(b) for a building height in excess of 35 feet, for a residential building to be 38 feet, 8 inches (for a total height exception of 3 feet, 8 inches over 35 feet). This Special Council Permit is made on the basis of the plans and elevations dated 10/18/14 by Jason Gove, Architect, 5 Autumn Lane, Gloucester, MA, as submitted to the City Clerk on November 12, 2014, and on the Zoning Board of Appeals Decision dated November 4, 2014 for conversion to a two-family residential building.

DISCUSSION:

Councilor Verga said that the P&D Committee endorsed unanimously endorsed this application for a height exception as it is in keeping with the neighborhood. This application also meets the six standards under GZO Sec. 1.8.3 for a Special Council Permit and is in harmony with its intent.

Mr. Favazza discussed with **Councilor Stewart** and **Ms. Lowe** that the City Council under the zoning ordinance has the authority to direct any city staff to write a decision for adoption which he offered to draft given that at this time there is no General Counsel on city staff. **Ms. Lowe** offered to work with applicants' attorneys during this time so that the Council adoption of decisions is not unduly held up.

Councilor Stewart and **Council President McGeary** discussed briefly the overlap of criteria for height exceptions and the intent of the Zoning Ordinance, which **Councilor Stewart** noted he was a member of the committee that drafted that particular ordinance and expressed his concern.

MOTION: On a motion by Councilor Verga, seconded by Councilor Cox, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (LeBlanc) absent, to grant to Marc Cunningham and Melissa Cunningham a Special Council Permit (SCP2014-013) for the property located at Mt. Pleasant Avenue #125 (Assessor's Map 79, Lot 17), zoned R-10, pursuant to Gloucester Zoning Ordinance Sections 1.10.1(a)(1) and 3.1.6(b) for a building height in excess of 35 feet, for a residential building to be 38 feet, 8 inches (for a total height exception of 3 feet, 8 inches over 35 feet). This Special Council Permit is made on the basis of the plans and elevations dated 10/18/14 by Jason Gove, Architect, 5 Autumn Lane, Gloucester, MA, as submitted to the City Clerk on November 12, 2014, and on the Zoning Board of Appeals Decision dated November 4, 2014 for conversion to a two-family residential building.

For Council Vote:

1. Election of Council Vice President

Council President McGeary suggested the rules be followed as the Council did for filling a Councilor position. He explained that a Councilor must be nominated and seconded by a member of the Council and that the successful candidate would need to receive five votes. With the absence of Councilor LeBlanc, reaching a five vote majority may be difficult with eight Councilors present but that he would like to proceed to start the voting.

Councilor Verga, noting that the Council was in receipt of an email from Councilor Steven LeBlanc asking this matter be postponed until he could be present, moved that the election of a Council Vice President matter be held at the next Council meeting, and was seconded by **Councilor Cox**. She said she would appreciate more time to speak with the candidates which she hadn't done yet in belief the matter would have been postponed because of Councilor LeBlanc's absence this evening.

Councilors Lundberg and **Ciolino** also voiced their endorsement to continue the matter of the vote for a Council Vice President to the Jan. 27 Council meeting.

This matter is continued to January 27, 2015.

Unfinished Business: None.

Individual Councilor's Discussion including Reports by Appointed Councilors to Committees: None.

Councilors' Requests to the Mayor:

Councilor Stewart said that the plan for a power outage for eight hours on January 20 in Annisquam by National Grid has been cancelled and will be rescheduled for a warmer day at a later date. **Council President McGeary** commended the work of Councilor Stewart in working with National Grid to postpone a planned power outage in order to complete necessary infrastructure work in that area.

Councilor Cox noted there is a Tourism Commission meeting on Thursday, Jan. 15 at 6 p.m., 3rd fl. Conference Room at City Hall, and on Tuesday, Jan. 20 at 6 p.m. when at that time the Commission will take up the matter of the Phase 2 marketing strategy five-year plan; the Elks are hosting a reception for returning veterans Saturday, Jan. 17 from 12 noon to 3 p.m.; Action has open house on Thursday, Jan. 29, 4:00 to 6:00 p.m. to showcase their adult education and job training programs.

Councilor Lundberg said on Thursday, Jan. 22 he will be attending in his capacity as a hospital board member a retirement party for Dennis Conroy, President of Northeast Hospital Corporation. He added in his capacity as a City Councilor would convey the city's best wishes to Mr. Conroy.

Councilor Ciolino expressed his pleasure to be back with the Council. He welcomed back Councilor Whynott from his three week vacation in Florida.

Council President McGeary reminded the public of the joint meeting of the Council and Fisheries Commission on Friday, Jan. 16 at 1 p.m. in Kyrouz Auditorium on the future of the fisheries and what can be looked forward to and be hoped for as a city, harbor and as industries. There will also be a joint meeting of the School Committee and City Council on Thursday, Jan. 22 at 7 p.m. likely to take place at Gloucester High School Library, which has yet to be confirmed, to talk about common issues including a presentation on the high level view of options for the city's elementary schools. He encouraged the Council to submit matters they wish to add to that agenda.

A motion was made, seconded and voted unanimously to adjourn the meeting at 9:02 p.m.

Respectfully submitted,

**Dana C. Jorgensson
Clerk of Committees**

DOCUMENTS/ITEMS SUBMITTED AT MEETING:

- **Poem – The Ship of Gloucester Set at Full Sail by Peter A. Todd, Poet Laureate of Gloucester**
- **Written statement under Oral Communications by Kathryn Goodick, 10 Dogtown Road**

DRAFT

SPECIAL GLOUCESTER CITY COUNCIL MEETING
With the Gloucester Fisheries Commission
Thursday, January 16, 2015 – 1:00 p.m.
Kyrouz Auditorium – City Hall
-MINUTES-

Present-City Council: Chair, Councilor Paul McGeary; Councilor Melissa Cox; Steven LeBlanc, Jr.; Councilor Greg Verga; Councilor Paul Lundberg; Councilor William Fonvielle; Councilor Robert Stewart; Councilor Robert Whynott

Absent: Councilor Ciolino

Also Present: Linda T. Lowe; Dana C. Jorgensson

Councilor Cox entered the meeting at 1:16 p.m. and Councilor LeBlanc entered the meeting at 1:54 p.m.

Councilor Whynott left the meeting during the recess.

Present-Fisheries Commission: Chair, Mark Ring; Angela Sanfilippo; Al Cottone; Joseph Orlando; Scott O. Swicker; William Brown

Absent: Paul Vitale.

William Brown left the meeting at 2:20 p.m.

City of Gloucester Administration Representatives Present: Mayor of the City of Gloucester, Sefatia Theken; Jim Destino; Salvatore Di Stefano, Sr.; Tom Gillett; former Mayor John Bell

Also Present-Federal and State Government Representatives: Congressman Seth Moulton; State Senator Bruce Tarr; David Pierce, Deputy Director-State Division of Marine Fisheries and New England Fisheries Management Council member (NEFMC); Ariel Vega, Jr. of Sen. Elizabeth Warren's office; Kate Machet of Sen. Edward Markey's office; Morgan Bell of State Rep. Ann-Margaret Ferrante's office; John K. Bullard, Regional Administrator, National Oceanographic and Atmospheric Administration (NOAA).

President of the City Council, Paul McGeary, and the Chair of the Gloucester Fisheries Commission, Mark Ring, called their respective meetings to order at 1:10 p.m., opening the meeting entitled, "The Future of the Fisheries of Gloucester".

Flag Salute & Moment of Silence: Council President McGeary dedicated the Moment of Silence in memory of the 5,300 Gloucester fishermen who lost their lives at sea whose names are inscribed on the Fisherman at the Wheel statue cenotaph.

Council President McGeary welcoming and thanking those present, pointed out Gloucester is America's oldest seaport and that it is important to maintain that legacy and ensure that it continues to prosper. He added this meeting is to be a pathway for a candid and frank exchange of views as to what and how the industry can move forward.

Mark Ring, Chair, Fisheries Commission, on behalf of the Commission thanked the elected officials for their presence. He thanked Council President McGeary for putting the meeting together. He said this is to allow everyone to have an overview of the city's fisheries. Not all industries are in disaster mode, he noted, but all have their issues and need attention. He said he hoped those present leave with a better understanding of where the fisheries are and where the fisheries need to go by having an open, constructive discourse.

Members of the Fisheries Commission and the Council that were present were introduced.

Council President McGeary reviewed the two topics under the agenda for the meeting: Short-term assistance and opportunities for the fishing industry and the long-term direction of the fisheries. He acknowledged representatives from Senator Edward Markey's office, Senator Elizabeth Warren's office and State Representative Ann-Margaret Ferrante.

Mayor Sefatia Theken welcomed everyone including Congressman Seth Moulton, State Senator Bruce Tarr, John K. Bullard, National Oceanic and Atmospheric Administration's Regional Administrator, Dr. David Pierce, Deputy Director of the State of Mass. Division of Marine Fisheries and member, New England Fisheries Management Council (NEFMC); and other guests. Mayor Theken acknowledged her Chief Administrative Officer, Jim Destino. She announced she would have monthly meetings with Sen. Tarr and Rep. Ferrante's office. She said someone had asked her why the city isn't getting the grant money it deserves to promote its waterfront which she

expressed she wished to remedy. She said because fishermen are focused on restrictions affecting their industry, there is a co-existence and a desire to work together for the betterment of the industry and the city that needs to move forward. She said what comes from her office is a united front and invited city residents to view her office as open to them to air their opinions on this matter and help the city form its united front. The Mayor also highlighted her desire to work with Congressman Moulton and help educate him so that he would better know how to assist his Cape Ann constituents. The city has a working waterfront, she said, and each sector of it needs diversity to ensure economic development; and to view the city's waterfront as its new economic development zone. She highlighted Salvatore DiStefano Sr.'s appointment as Director of Economic Development to move such matters forward. She said that if people think the science doesn't match then money needs to be found to find scientists who can bring forward the information that the groups can use to negotiate with regard to fishing restrictions.

Congressman Seth Moulton said he was present to listen but observed that everyone in the auditorium wants a sustainable fishery and is the common goal. He noted he has a lot to learn and looked forward to helping to reach the common goal.

State Senator Bruce E. Tarr, noted that Rep. Ferrante was at the statehouse working on legislative initiatives as it was the last day to file them. He acknowledged the presence of federal and state government representatives. He said that there are two issues that are at odds--rebuilding stocks of groundfish to preserve the resource and sustaining fishing infrastructure and waterfront businesses and families. He cited the efforts of the city's legislative delegation that resulted in the creation of the Mass. Seafood Marketing Commission to increase the value of limited catches, and make the public aware of underutilized fish species. He highlighted some "modest" assistance now available for new effort to make available capital to help waterfront property owners to maintain the critical infrastructure to support and maintain the city's commercial fisheries. He cited the case of Cape Pond Ice in which regulatory flexibility allowed a staple of the fishing industry to survive while it diversifies while not compromising its mission.

Sen. Tarr also highlighted legislation he would be filing which was hoped to generate more waterfront investment by providing low interest loans and grants to waterfront property owners and the commercial fishing industry, as well as to provide some tax relief. To continue to leave such things undone for the commercial fishing industry, he said, compromises safety and viability. He said the legislative delegation is looking forward to open and productive dialog and encouraged his federal counterparts to meet monthly with the City's Mayor as well. The way forward long-term depends on having a management scheme that keeps focus on the two goals which is required under the Saltonstall-Kennedy Act Grant Program and the Magnusson-Stevens Fisheries Reauthorization Act (Magnusson Act), managing fisheries to achieve sustainable yields and to allow commercial fisheries to harvest those yields to the benefit of all. He said there is need for an effort for understanding to science and reality of what is going on in the ocean through communication and common understanding. He noted Governor Baker pledged his support several weeks ago in Gloucester that he would lead an effort for scientific development using existing state resources and soliciting others to participate to put the intellectual capacity of the Commonwealth to work to have an independent understanding separate from the federal government but in harmony with it. He cautioned that the truth doesn't change; they just need to find it. He said in his opinion when found, it will be easier to make shared decisions and take shared responsibility to make important difficult steps forward that will require sacrifices. It can be done in such a way that is complementary to the National Oceanic and Atmospheric Administration (NOAA) and the common collective goal of a sustainable fisheries. He pledged his commitment to continue to find solutions.

John Bullard, Regional Administrator of NOAA, acknowledged the importance of the conversation taking place. He quoted the inscription on the auditorium wall, "Build not for today but for tomorrow as well," saying that it epitomizes what he has to balance daily between fish and fishermen, and the balance between today and tomorrow. Getting that balance right is the job at NOAA, he pointed out. He said he didn't want the loss of seaports, but that seaports have to evolve and change over time, noting that New Bedford is no longer a whaling seaport but is still a seaport. He said while NOAA has a job to do, they are here as the fisheries' partner. He explained that NOAA's job is to protect fish stocks, living marine resources; that in order to do that the agency has to make tough decisions. Sometimes the decisions, as in the case of the harbor porpoise a few years ago and in the recent case of cod, aren't welcome; but the regulations are made to preserve the fishing stock for the future. They are listening, speaking with many, he said, and with every conversation information is passed back and forth with mutual respect, NOAA is continuing to learn. He said that part of his job is to be as honest and straight in letting the fisheries know what NOAA is doing which isn't easy just as going to sea isn't easy.

Mr. Bullard explained some of the points of getting through the hard times of ground fishing noting that Gloucester is a diverse port and that the biggest moneymaker in Gloucester is lobstering, but ground fisheries are otherwise in tough times. He said there are many ideas and reports; there are ideas of seafood marketing to promote buying local which Angela Sanfilippo has been very involved in. He encouraged efforts to get the public to buy

locally. He said America has the toughest [fisheries] management in the world. He said consumers have to ask in restaurants, in supermarkets, at fishmongers, where their fish comes from and support their local fishermen. It is done all the time in agriculture, and the fisheries should be no different, he said. Seafood marketing is a way to start supporting higher prices for pollock and redfish, which is plentiful and delicious to eat.

He noted that the congressional delegation has secured disaster assistance for the fishing industry of \$75 million nationwide, with \$32.8 million headed for New England. While not enough, he said, the six state fisheries agency directors have agreed on a plan for \$11 million in direct assistance, including an outright grant of \$32,500 for everyone who landed 5,000 pounds. This idea was generated by the fishing industry, he noted. The states have different needs based on relative loss, he explained, and that Massachusetts has the greatest loss of all the states and so that \$8.3 million will be for customized shore side infrastructure, crew and other initiatives, managed by the State's Division of Marine Fisheries, with the funds available this month. The final \$11 million is scheduled to be for vessel buyout for those who have made the decision to get out of the fisheries business in order to recover some of their investment and at the same time strengthening those who want to stay in the industry.

He noted Mayor Theken's assertion that the city doesn't get enough grants and pointed out that one of the partners is the Economic Development Agency (EDA), a sister government agency to NOAA, and that the EDA has grants available. Saying he had a close relationship with that agency, **Mr. Bullard** encouraged the Mayor to call him as soon as the city submits a grant application, and he said that he will act as an advocate for the city. He noted that 100 grants had been submitted and that this region gets more grants than the rest of the country.

He said that exempted fishing permits are another way that cooperative research happens, and a number of them have come from Gloucester. Aquaculture is yet another way that change can happen where people can still provide seafood and work with fish. He noted that he was at an aquaculture conference in Maine several days prior which was attended by 450 people whose average age was 40 years old and came from North Carolina to Maine (the NOAA region of which Gloucester is a part). He said in that region \$220 million in seafood receipts were in aquaculture in 2013; the year before the industry harvested \$160 million, a one-year growth of \$60 million. By way of comparison he said that the entire groundfish harvest was \$60 million in one year. He also observed that the Massachusetts aquaculture industry is an \$18 million business, which indicates a rapid rate of growth. He said this is a way to support shore side businesses, and a way for people to have jobs on the ocean but cautioned that it involves change and people being willing to learning about it and cited that there is aquaculture activity already in Gloucester.

Mr. Bullard made note that NOAA is finishing a five-year strategic plan after much public discourse, and he offered copies of drafts.

Joe Orlando, Fisheries Commission member and commercial fisherman, said that Gulf of Maine cod is only one groundfish species out of 17 landed in Gloucester. He asked what the agency will do to facilitate the landings of the other groundfish stocks. **Mr. Bullard** conceded that a lot of the Gulf of Maine is closed to fishing even though the quota on haddock has doubled. A lot of the areas that are closed, he pointed out, are where the other species are. He encouraged Mr. Orlando to talk with him about the matter or others in NOAA to offer their assistance. **Mr. Orlando** pointed out that there are no other areas [to fish] for the Gloucester day boat fleet and that for the city's day fishing fleet having to travel 50 miles out is too far, particularly for those fishermen who have been forced because of the fishing economy to fish alone. He said, "This is killing the day boat fleet completely." He pointed out the other 16 fish species are very important to them; that in order to survive the fleet needs to get to the fish, and so closed areas should be opened.

Al Cottone, Fisheries Commission and commercial fisherman, noting that the debate on cod in the Gulf of Maine in the last few years between the industry and NOAA, and during that time Mr. Bullard had referenced the possible extension of the Gulf of Maine cod. **Mr. Bullard** responded saying that science is challenged by some but that NOAA is guided by the latest assessment update which was peer reviewed that puts cod at three to four percent of its historic biomass, and that he characterized as close to zero. He pointed out that the Gloucester day fishing fleet is not the only fleet fishing for cod. Even if they stopped fishing for cod, the cod are being eaten by other predators. Cod can become extinct, he said. He said NOAA has a responsibility to take measures to prevent the extinction of cod. He said he is frequently asked if NOAA is certain about the science, and pointing out while there is uncertainty in science, the science out of Woods Hole Northeast Fisheries Science Center (Woods Hole) is really good science. He noted were Dr. Bill Karp, Science and Research Director of Woods Hole present he would say the same thing. **Mr. Bullard** said that there is a real problem on how the science at Woods Hole is communicated, saying they could do a much better job of involving people in the science and communicating that. He pointed out that like NOAA, Woods Hole is working on their strategic plan also and said that Woods Hole knows they need to do a better job communicating because if they don't reach out to the fishermen, even if Woods Hole has the best science available, fishermen don't believe it. This, he said, is an area of improvement, and Woods Hole knows it. While expressing

his discomfort in speaking for Dr. Karp, he said in speaking with Dr. Karp many times, he would convey the same information were he present.

Mr. Cottone said the evidence the industry has presented in the last six to eight months about the state of Gulf of Maine cod is at variance with what Woods Hole is presenting and asked for Mr. Bullard's opinion. **Mr. Bullard** said what makes the most sense to him on the contradiction is a paper summary he read in Nature Magazine that said when cod stocks get low they congregate and fishermen know where those congregations are and fish them. Then fishermen say there's plenty of cod in those congregations, but scientists who are looking everywhere say there are very few cod. Noting his attendance at a conference on fisheries management, in speaking to managers from Newfoundland, Mr. Bullard said Canada stopped 100 percent of the fishing 20 years ago, and cod is just starting to come back in the Eastern Maritimes after 20 years of zero fishing. He suggested they should learn a lesson from the Eastern Maritimes. **Mr. Cottone** commented that the 1990's there were similar problems, and this was the exact explanation NOAA gave.

Angela Sanfilippo, Fisheries Commission, President of the Gloucester Fishermen's Wives Association, said it has been a long road for many and with the best available science it has left the industry is the state it is now. The results are the same with the best available science. Science said there was no cod, and yet the entire fleet from Rhode Island to the Hague Line was catching cod in the late 1970's. She pointed out Mr. Bullard's statement that until Dr. Karp speaks with the fishermen they'll never see eye to eye, which they have been saying since 1977 and still it hasn't happened.

Ms. Sanfilippo said that a year ago the Mass. Fishing Partnership (MFP) submitted a grant to do research with Woods Hole as a partner to help people still trying to fish. The grant was submitted at the eleventh hour and didn't even receive an acknowledgement that the grant was submitted. As of today, she said she had never heard a word about it, which she pointed out, would have been the perfect opportunity to move forward. She said she didn't believe Woods Hole wants to work with the fishermen.

She pointed out that the Gloucester Fishermen's Wives Association (GFWA) has done fish marketing since 1976. But she wondered aloud what the group could market today from the Gloucester day fleet when the entire ocean is closed. For the day fleet to fish any farther out to sea is to risk their lives. The Magnusson Act, she said, says they have to protect the lives of those people, and their safety is important. She said she has no desire to cry once again for a fishing boat that disappears and the men are lost.

Ms. Sanfilippo said the community is paralyzed, with the majority of the groundfish fleet not having fished since Nov. 13, 2014. Many of the fishermen and their crews don't claim unemployment. She also referred to Mr. Bullard's statement that the city's lobster industry was the No. 1 industry in Gloucester. She said that as of Feb. 1, 2015, the lobster industry in the Gulf of Maine will be shut down to protect whales and prevent their being caught in lobster pot ropes. She said that lobstermen are now removing all their pots in frigid winter weather in unsafe conditions to comply with the regulation. She said safety of the lobstermen attempting to comply with the regulation was never discussed.

She noted that last year Gloucester, with funds from the state of Massachusetts, produced the Port of Gloucester Groundfish Port Recovery and Revitalization Plan. The plan identified 41 items, which, if implemented, would have supported the industry during hard times last April, she said. How, she asked, can they implement any of these initiatives when no fish are coming through the docks? Citing that Gloucester has always been a diverse port, when there was flexibility – when there was no groundfish, the fishermen go for whiting, when there was no whiting they went for squid. They lost all their permits, she pointed out, because of all the control dates. She said the few boats that fish in the summer for whiting have asked for the time to fish for it two weeks earlier so they can help their families a bit more. She said her offices are the places where they deal with individual families and now they see that things are really bad. When there is no income for families, all kinds of socio-economic problems happen. Answers are needed and soon, she said.

Mr. Orlando challenged the contention that regulations were based on the best science in the world, citing that in 2010 the fishing industry went to a sector system which worked well initially only to find out two years later the same science said things weren't good, even though the same science said stocks would be fully rebuilt by 2014. The science two years later has cut quotas by 22 percent on Gulf of Maine cod and then by 60 to 70 percent on all flounder stocks. The same science is bankrupting the fishing industry and keeping fishermen tied to the docks, he said. **Mr. Bullard** said it is the impact of the science, not the science that Mr. Orlando is objecting to. **Mr. Orlando** said it is the same people and the same science, the same scientific source each time. **Mr. Bullard** responded that he didn't tend to hear complaints about Woods Hole from fisheries that do well. The impact has something to do with the amount of complaints and was understandable, he said.

Council President McGeary, referring to the question of science, he asked what flexibility NOAA has in assessing other kinds of scientific input, like the reports from the fishermen who have worked to do research during

trawls who have filed them. He said the assertion is that they are filed and disregarded in favor of Woods Hole science. Is it left entirely in the hands of Woods Hole or does NOAA actually have some flexibility as to what science is used in NOAA's decision-making process, he asked. **Mr. Bullard** said this gathering is great and would have been better if someone from Woods Hole was present. He noted there is sometimes a misconception that all the science Woods Hole uses comes from just Woods Hole or just the Henry Bigalow (NOAA's newest fisheries survey vessel). He cited there was a meeting just that morning in Woods Hole about fishery dependent data collection, landing reports and similar information. Woods Hole, he said, is reaching out to obtain science from many different sources. He suggested if the intention is to have other meetings like this, a presentation on how the assessments are generated would be useful from people from Woods Hole who should be accountable, or a small group could also go to Woods Hole which he offered to facilitate. **Council President McGeary** referring to the "Great Gate clanging shut" on Nov. 13, asked if NOAA has the ability when it detects there is a significant decrease in fish stock populations to phase in over time a reduction in catch or must it act on the day it is determined, citing an unscheduled survey, must it act precipitously or is there discretion on those kinds of closures. **Mr. Bullard** said it started with a surprise assessment which showed a dramatic decline in cod. The NEMFC reviewed that information and the Council needed to do something of which he is one vote as a member of it, he noted. It was voted by the NEMFC that he was to put an emergency action forward through NOAA because the NEMFC knew emergency action was needed. The NEMFC said with industry support do not change the quota because they'd made their business plans around that quota as it exists, he noted, and with that tool off the table, it became about closing areas which went into effect November 13. It was done as an interim rule so they could take comments on it, he said, which NOAA has done and has just finished that process. He noted that no announcement has been made yet, but will be likely in the next two weeks when the NEMFC next meets. The fishing year begins May 1, he said, and subsequent to NOAA's action, the NEMFC put in place Framework 53 which takes effect May 1 when the emergency rule ends. An area, he pointed out, can't be half closed -- it is either closed or not, and with the quota remaining in place it couldn't be handled any other way.

Mr. Orlando contended that NOAA did change the quota because they closed the area for cod fishing which shuttered the port. He charged that NOAA has killed the day boat industry and has killed Gloucester alone which he said was unfair. **Mr. Bullard** said NOAA chose the area for closure based on where the cod were.

Mr. Cottone asked if Mr. Bullard was aware about the Gloucester Fishing Community Preservation Fund (GFCPF) attempt to give back quota to try to relieve some of the closures. **Mr. Bullard** said Vito Giacalone, representing the GFCPF explained that to him. He said that it is a comment, like others, on an interim rule which he can't comment on. They have a detailed proposal in writing from Mr. Giacalone which will likely be responded to by the NEMFC at their next meeting in Portsmouth.

Dr. David Pierce, Deputy Director, State Division of Marine Fisheries, said that his agency has been aggressive to get the necessary paperwork to the federal government in order to get the \$8.7 million in Phase 2 aid released to the Commonwealth in order to disburse the disaster funding according to the plans developed. One exception is the second phase of disaster relief funding is for \$8.7 million, the proposal of how it is to be spent was submitted to the National Marine Fisheries Service. He said it is his understanding that they have reviewed it, and submitted to Washington, and expects they'll be in a position shortly to disburse the funds to fishermen according to a plan that was developed by his agency working with a group of which Ms. Sanfilippo was part of that group.

Councilor Cox spoke to the lobstering area being closed as of Feb. 1, saying that by closing this area NOAA is forcing the fishermen and lobstermen to be in conflict with by crowding what open fishing areas are left available which she termed as an open invitation to problems. **Mr. Bullard** said he was unsure of the Councilor's implication. The closure was worked out through Atlantic Large Whale Take Reduction Team (a group within NOAA which is tasked to help develop plans to mitigate the risk to marine mammals). It is a negotiation between different parties: member of the Mass. lobster industry, members of whale conservation groups, similar groups from Maine, Rhode Island of different constituencies who hammer out issues. They reached agreement on a plan earlier. That deadline was Jan. 1 and people in Massachusetts pointed out it was too early for reasons Ms. Sanfilippo mentioned, and Massachusetts asked for a delay to Feb. 1. In exchange there was a shifting of the location. That location was supported by the Mass. Lobster Association, he pointed out. He said he didn't envision the problem the Councilor outlined. **Mr. Ring** said the question referred to the possibility of a conflict between lobstermen and fishermen. **Mr. Bullard** indicated he would follow up on this matter.

Mr. Ring said this is 4,400 square miles that are involve and asked if the federal government struck a deal with conservation groups as a result of a law suit in 2009 to close 50,000 square miles from Florida to Canada by 2016. **Mr. Bullard** said he didn't know the answer to Mr. Ring's inquiry. He indicated that a part of this Feb. 1 closure was a Massachusetts petition NOAA responded to and then submitted it to the Take Reduction Team. It was supported by the team with only one negative vote out of 36, he said.

Statements by Stakeholders and Association representatives:

Jackie Odell, Northeast Seafood Coalition (NSC), gave her testimony and submitted her written statement (placed on file). She noted that since John Bullard has been in office, he and his staff have been accessible and responsive to the NSC. She testified on regulatory changes necessary to maintain small fishing, family-owned and operated commercial groundfish businesses that operate from and within the port of Gloucester. She provided an organizational description and then focused her comments on Groundfish Regulations. She said that contrary to public perception, the catch reductions implemented in 2013 were not because catch limits, which are driven by the results of stock assessments, had been exceeded by the commercial fishing fleet. In fact, since rebuilding plans were implemented in 2004, commercial fishing businesses have remained within every prescribed catch limit directed by the rebuilding plan and analyses. She also emphasized that any effort put forth following the Groundfish Disaster Declaration would largely appear to be all for naught because the GOM cod “crisis” has shown the fundamental issues plaguing the fishery are alive and will only continue to create instability and crises in fishing businesses and fishing communities until they are genuinely fixed. She concluded her remarks noting that the NSC will continue to provide updates to the Gloucester Fisheries Commission and look forward to the partnership with the city as well.

Councilor Stewart noted the term Ms. Odell used, “shifting management philosophies” and asked for a definition.

Ms. Odell responded as follows: Different initiatives have come through the years for the groundfish fishery and within federal policies and federal law. The industry is currently operating under the 2006 Magnusson Reauthorization that required annual catch limits and accountability measures to be placed in federally managed fisheries. In this region there were a lot of concerns with the previous input-control-based program in that when there was a problem with an assessment it was reviewed within the management realm to reduce fish mortality in the most comprehensive and quick way possible. Gloucester has faced rolling closures, and the Gulf of Maine closures, differential days at sea counting; all based on the effort-control-driven programs. She said the concern was those tools weren’t working, and that if going to an output-control-based system and sector-based system it would move the fishing industry away from inefficiencies. With the measures in place regarding catches with hard quotas and limits it has all controls coming back – closures and trip limits which had been shown to not rebuild stocks.

Angela Sanfilippo, speaking as President of the Fishermen’s Wives Association, noted in 1969 the GFWA was formed because the wives saw a threat to the fisheries and started the effort for the Magnusson Act which finally came to fruition. The first year that the Magnusson Act was in place there was a total allowable catch like now, but with no trip limits and no closed areas. In 1976 there wasn’t a fish to be caught and cod landings had the worst year on record until April 1977 where in May of that year the cod came back. Codfish sold at 4 cents a pound it was so plentiful. She pointed out at that time it became the dealers choice who would go out to catch cod. The cod fishery was going to be shut down by the federal government that year despite the rebound in cod stock. The GFWA has a mission statement to promote and protect the Gloucester fishing industry and help the fishermen live a better life, she pointed out. She said the GFWA has fought many battles that if they can keep the ocean clean the fish will always be there. If you can’t get the fish, what is the purpose of fish promotion and marketing, she asked. This resource belongs to the people of the United States that has become privatized, she claimed. She pointed out that while the city’s port is in the best position geographically to get to the fishing grounds, yet the boats are tied up and can’t fish. She said there has to be a way to get the boats untied, to have all waterfront industries to prosper. The Atlantic Ocean has not run dry, and they are feeding the world, she said. She urged whatever needs to be done has to be done or a resource will be lost for people to live.

Sunny Robinson, Gloucester Harbor Community Development Corporation, submitted a written statement (placed on file) and described the GHCDC as a private non-profit organization creating a symbiotic relationship between the shore side and water-based industries to promote a sustainable fishing port. She said the organization has a vision for the future of a vibrant working seaport interlocking sea and shore for the benefit of the city and region. She noted lobbying successes of the group, and said her organization has been working with private property owners within the Designated Port Area (DPA), local and state officials, towards changes, for an increase for the number of pilings allowed, up to 50 a year, that can be driven to rebuild structures, as an example and pointed to other recent successes. These activities should produce a minimum investment in piers, wharfs, railways and related marine infrastructure of \$9 million over the next few years. She highlighted the critical role of the private sector property owners. The DPA is a state asset in need of support in addition to regulation, and suggested that the city could designate the DPA as a Business Improvement District and encourage reinvestment through a Tax Incentive Finance (TIF) arrangement. She also suggested that the city could designate the BID as an energy innovation zone, in a collaborative effort to encourage commercial/industrial energy conservation. She also espoused other selective and innovative initiatives and improvements for the city to adopt as well as other ideas that could have a positive impact on the city’s fishing industry and waterfront. She touched upon wastewater screening,

and the recent lowering of the city's water rate. She spoke to lobstering equipment initiatives and several others to expand the city's fisheries.

Vito Giacalone, Gloucester Fishing Community Preservation Fund, a self-supporting non-profit organization, spoke to the community asset of a fishing permit bank that the GFCPF manages for the benefit of the Gloucester groundfish fleet and submitted a written statement (placed on file). He spoke to the non-profit's funding and its start in 2007 for the specific purpose of operating as a permit bank with initial funding of about \$10 million from liquefied natural gas importing companies as a condition of the Mass. Dept. of Environmental Protection in order that those companies could receive permits for deep water construction of LNG offloading ports in federal waters which were historically fished by in-shore Gloucester trawlers. He reviewed the fishing restrictions that had hit the ground fishing industry since 2007. He said the reductions in catch limits, days at sea allowed, and Framework 42 have restricted and further reduced Gloucester's groundfish fleet. As a result he pointed out there has been a loss of vital port infrastructure and limited permits. The danger for the city is long term, he said, and the fishing permits for sale increased from 6 to 16. The port of Gloucester was gutted by discriminatory regulations with no protection from an open market, he pointed out. This is where the Gloucester Community Preservation Fund which purchases permits is helping to preserve the industry, he said. The reductions have happened to their permit bank as well, and as a city they have to look at the economic value in saving the industry and what is the revenue potential with local vessels and to local families – which he contended comes to the port. He suggested that the age of the vessels is a problem in that they need to improve the vessels to enable the day fishermen more range. There is a need for full range boats and they need help. Attrition has caused a huge loss in the fishing fleet due to the age of the fishermen. The primary source of the problem is the small amount of vessels is spending more time trying to find fish and if you find them, your quota forces you to leave the fish. A local sector went out to fish and in seven days they caught the same amount of fish they caught in the previous six months because NOAA announced a closure. He also cited a great disconnection between the science and the fishermen's observations. There is a need for a science discussion as nothing the fishermen are seeing agrees with the science being used in the assessments, and he referred to the reliance on the trawl survey.

Mr. Orlando asked what was the permitted catch GFCPF had for cod currently. **Mr. Giacalone** said it was over 90 percent less than when the Fund started in 2010. There were around 1.3 million pounds of Gulf of Maine cod and the total allowable catch is down to 50,000 pounds at this time.

Councilor Lundberg asked if this goes to the sector based solution that the GFCPF put forward for the cod closure. **Mr. Giacalone** said this year's allocation is larger than what it would be next year. He explained the layering on the effort control system on top of the output control system which exacerbated the problems of the fishermen.

Tom Balf, director of Maritime Gloucester, said that the fisheries management issue is a "wicked" problem being wrestled with. Maritime Gloucester is interested in playing a critical role. As to short term issues, he said that there is a need to communicate to the public to gain a better understanding of the fisheries, and suggested that Maritime Gloucester can facilitate that. As to transitional assistance, he suggested that fishermen could bring their boats to Maritime Gloucester's docks to talk about the relevant issues and educate visitors. Noting his 25-year career in environmental sciences was in regulatory matters, he suggested there is a need for innovative approaches and suggested there is a lack of opportunity to run pilot programs to allow people to try new.

He advocated for cooperative fishing research and for funding to support it. He said there is a need to work on trust as much as to work on science. He referred to reframing the economic value of fishing. He said there was a need to look for ways to make more money with fewer fish. He also touched briefly about who owns the ocean and how it is valued. He suggested conservation might be advanced through financial or tax incentives like carbon credit trading.

Joe Orlando, Fisheries Commission, lifelong fisherman and representing Sector 2, spoke to the instability in the Gloucester fishing industry with regulatory changes that shift constantly impacting not only the industry but entire families. He explained how he went from a larger fishing boat with a multi-person crew to a smaller boat to fish by himself at 60 years old but that he can't fish because of the emergency action until May 1 and has invested in three additional permits and still can't fish. He said he spoke for many fishermen who are in his same position. He asked what can fishermen at his age do next. He said it was a disaster, and there appears to be no way out after a lifetime of fishing.

The Meeting recessed at 3:30 p.m. and reconvened at 3:41 p.m.

Public Comment:

Dr. Valerie Nelson, 7 Sunset Point Road, said this was an unprecedented meeting. She said she wished to reinforce the findings of the Groundfish Port Recovery and Revitalization Plan and suggested that implementation of the plan needs to move forward. A primary recommendation was to charter vessels for research out of recognition

that there isn't what she termed as a lot of good data collected by big ships. The Senate Appropriations Committee has put money forward for such an initiative and that this should be fast tracked, she said. She praised the work of Jackie Odell, and said that the problem is not the fishermen but the regulations. She added that the city needs to take the lead to define sustainable fishery management. She also mentioned innovation within the fishing industry for developing new products and their distribution.

Ms. Sanfilippo added that the Gloucester Port Recovery and Revitalization Plan is available through the city's website.

Sam Parisi, 108 Commercial Street, submitted a statement for the record (placed on file) spoke to what he termed as an all-time low of the city's fishing industry. NOAA's scientific data always shows a minus, he noted, and none of the regulations leveled at the fisheries have worked, and there is still no fish like there was. He suggested there is a need for a full-time Executive Director for the Fisheries Commission when times are bad, not when times are good, to advocate for the port working hand and hand with the Northeast Seafood Coalition. The sea is a fisherman's farm. Farmers are subsidized, and their work is not as dangerous. He suggested there be a program like what was done in Newfoundland while stocks rebuild, and institute a comprehensive Fish Bill similar to what the country's farmers have in place to support fishermen and shore-side businesses.

Carmine Gorga, 87 Middle Street, said he's worked with the fisheries for 40 years. Whatever has been tried in the last 40 years hasn't worked. He suggested they have to think about the fisheries in a different way. Fisheries ownership is very important, he noted. There has been a restriction of the physical commons which has been a hardship on the poor. Fisheries have been in existence for millions of years and have self-regulated successfully, he said. The science that NOAA is using is upside down, a science of surveys and can't work. He urged the Council and the Commission to look into the science. He submitted a statement (placed on file).

Dr. Damon Cummings, 1063 Washington Street, statement submitted (placed on file) suggested there is a need for financial aid, an Executive Director of the Fisheries Commission; credible stock data; fishing crews and boats should be used to expand data collection. Management should be in eco-systems. The management is chaotic, and that the competition is international. There is the matter of fuel efficiency and technology, freshness and quality and need to be taken advantage of. He warned the cost of water is inhibiting fisheries processing in the city. Fisheries survey data is erratic, he said, and suggested that there isn't enough data because it is random. It is important the data based on chartered fishing boats and would be more important. Gloucester should lobby hard for this. If the resulting management were working out, they could live with it, but it is not and should be reviewed from the ground up. The government and fishing industry need to work together to concentrate on quality and freshness to overwhelm international competition; research should be funded to develop new products.

Susanne Altenberger, 66 Atlantic Street, she said the city is living out a tragedy with the fishing industry. The fleet makes the industry and the resource feeds the machine. The focus has been on the fish, she noted, then asked why there is a fleet on average is 40 years old but it is assumed that the industry is sustainable based on hardware several generations old. No one has tended to the actual boats that can fish and their viability to be fit to fish, she asserted. She charged that there has been a limit on innovation, and asked why has Gloucester's fishing industry not challenged the federal government to allow for that innovation. She advocated for the updating of the fleet's fishing boats.

Susan Waller, 184R Granite Street, Rockport spoke to aquaculture and its inherent risks, suggesting fish farms are harmful for the marine ecosystems due to the methods employed, which, she said, are damaging to the environment. She cautioned that if the farmed fish are let loose in the ocean due to damage to pens by storms, it will have a detrimental outcome to wild fish in the open ocean. She said laws should be in place to protect the wildlife in the ocean from fish farms.

Patti Page, 3 Tidal Cove Way, said that once the vessel baseline standard is done away by NOAA the results could be factory trawler ships without limits. Healthy oceans are a public security health issue, she said. It is a mission of NOAA's to protect living marine resources and protect habitat, to some degree for good reason. The national ocean policy has a north 42 zone. That is north to the Canadian Maritimes to protect it from industrial extraction from the natural resources which must be dedicated to wild protein harvesting. There is a need to develop seafood hubs, product development and funds for research and development. The future is in high value, low volume, she said. The science is too sparse, she put forward, saying that the term, "best available science" needs to be redefined and have investment in robust and collaborative science which she pointed out is in NOAA's mission statement. There is a need to build a better science database in order to support reliable management decisions which in turn will provide a more stable economic environment, she said. She concluded her remarks by saying that NOAA has a responsibility and obligation to ground policies and actions around community values not corporate profits. She likened fin fish aquaculture to a "dirty business" and said that aquaculture should not put fishing into the same path as land food farming, which produces unhealthy food.

Hilary Frye, 27 Beacon Street, observed that Gloucester's is not a picturesque harbor but a working harbor. She suggested that the fishing industry is not dead. There is demand for fresh fish across the country, she said, noting that Portland, Maine, has a prosperous port and fishing industry even in the oppressive climate of government regulation. She said Cape Ann Fresh Catch is a good example locally. The Port Recovery Plan should be heeded; she pointed out, and urged they all go fishing.

Ms. Sanfilippo said that the community cares noting that after the November shutdown, checks came in to support the fishermen through the Fishermen Wives Association.

Mayor Theken said it is the people listening that count not the audience in the auditorium. She pointed out this joint meeting is historic. She noted Carmine Gorga helped to start the GFWA. There had been hope for local aid 30 years ago, yet here they are again still fighting and struggling and asking the government for help. She said she was encouraged that everyone will work together to move forward with saving the city's fishing industry. Mr. Bullard said, "Grant? Call me," she recounted, saying it is about science and the trust. She said she felt Gloucester can do it, and this administration will create a gateway for the next administration and looked forward to the monthly legislative meetings.

Council President McGeary thanked everyone who participated and to hear first-hand from people like Mr. Orlando, Damon Cummings and Ms. Sanfilippo and others who came this afternoon to start a very important process. He said it was important to hear first-hand the remarks of people like Mr. Orlando, Mr. Cottone, Ms. Sanfilippo, and Dr. Cummings. It is a beginning of a process asking the questions about what constitutes the city's fishery and what their options are. He pointed to Mr. Balf's offer to convene a session on the science of the fishery and would work with him to see if it can happen sooner rather than later.

Mr. Ring thanked Council President McGeary giving him credit for putting the meeting together and gathering the many key public officials who appeared today. He said he looked forward to meeting with Woods Hole that Mr. Bullard would put together also.

A motion was made, seconded and voted unanimously to adjourn both the City Council and Fisheries Commission meeting at 4:30 p.m.

Respectfully submitted,

Dana C. Jorgensson
Clerk of Committees
For the Gloucester City Council and Fisheries Commission

STATEMENTS/DOCUMENTS/ITEMS SUBMITTED AT MEETING PLACED ON FILE:

- **Jackie Odell, Executive Director, Northeast Seafood Coalition**
- **Vito Giacalone, Gloucester Fishing Community Preservation Fund**
- **Sunny Robinson, representing the Gloucester Harbor Community Development Corporation**
- **Sam Parisi, 108 Commercial Street**
- **Dr. Carmine Gorga, 87 Middle Street**
- **Dr. Damon Cummings**
- **Susanne Altenberger, Phil Bolger & Friends, Inc., 66 Atlantic Street**

CITY COUNCIL AND SCHOOL
COMMITTEE JOINT MEETING
MINUTES

01/22/15

UNDER SEPARATE COVER

BUDGET & FINANCE
MINUTES

01/22/15

UNDER SEPARATE COVER

Planning & Development Committee
January 21, 2015 – 5:30 p.m.
1st Fl. Council Committee Room – City Hall
-Minutes-

Present: Chair, Councilor Greg Verga; Vice Chair, Councilor Paul Lundberg; Councilor Steven LeBlanc
Absent: None.

Also Present: Councilor McGeary; Councilor Fonvielle; Linda T. Lowe; Jim Destino; Salvatore DiStefano, Sr.; Tom Daniel;

The meeting was called to order at 5:30 p.m. There was a quorum of the City Council until Councilor Fonvielle left the meeting at 5:50 p.m.

1. Memorandum from Administration re: Options for the Fuller property RFP (Cont'd from 12/10/14)

Councilor Verga explained that the Council had anticipated receipt of a report from the Safety Committee after the last P&D meeting. **Salvatore DiStefano**, Director of Economic Development, said the final copy was received in the Mayor's office after having been returned to the consultant for final revisions. He informed the Committee that the report had yet to be forwarded to the Council as it is under review by the Mayor now. He reported the document is complete.

Jim Destino, CAO, confirmed that the final report is in the Mayor's hands and expressed that the Administration hopes to be able to offer further information and options for the Fuller property ("property") use to the Council soon, highlighting the Council's important role in crafting the Request for Proposal (RFP). If one of the options is to set aside a portion of the Fuller property for future city use and sell the other piece, the property will need to be subdivided ahead of the RFP being issued, he pointed out, if the decision is to sell a part of the Fuller property. **Councilor Verga** said he recalled that there had been a conversation with the Committee to start looking at subdividing the property. **Mr. Destino** said it is premature as options are not firmed up yet. He suggested that there should be a workshop with the Administration and Council to review options for the property and what can be done in the short term. He said that with the city bumping up against its debt limit for borrowing and the West Parish borrowing coming on line, it will be difficult inside the operating budget to do much for the city, and various financial tools to fund the options will also have to be examined.

Councilor McGeary suggested that the Public Safety Center is a conceptual decision that needs to be made perhaps five to ten years from now. He further suggested that if that is the best use of a portion of the property it is something that should be included in the RFP. He asked was it possible to craft the RFP to say city will want to use "X" number of square feet for a purpose but is willing to work with a developer to locate it to their mutual advantage, and then subdivide the property. **Mr. Destino** said it is also about identifying the best access on the property for the Public Safety Center and subdivide the property so the city holds onto the portion for its future needs. Without completely finishing the review of the Public Safety Report and the Response Time Studies which shows response times aren't really improved at this property's location to where they are today. He pointed out there is a need for the Fire Department's current and future needs expressing that the fire apparatus is nearly too large to fit into Central Station bays now. He said that public safety is paramount in the decision making process, but reiterated that the Administration is not yet ready to make a proposal and that he would like to work with the Mayor and the Council to arrange the workshop, but they're not ready yet. He also pointed out that the city has no General Counsel at this time, and said many of the questions coming forward need to be run through General Council and advised it would be appropriate to wait until position is filled. **Councilor McGeary** said he is either for or against the Public Safety Center on the property, but if the decision is to do that, then the decision should be made before the RFP is issued even if the city isn't ready to move forward with the project for several years. **Mr. Destino** said whether it is for office space or the city's pre-school center it will all be considered when the decision is made how to proceed with consensus.

Councilor LeBlanc pointed out the property has been surplus by the School Committee for some time, and asked when the Council could move forward to accept the vote of the School Committee. **Councilor Verga** advised that there are three things referring to former Mayor Kirk's original memo which asked that not only for the Council to accept the School Committee vote to surplus the property, and get the RFP out, and then to put forward the conditions on which the Council would find the RFP acceptable to be released. He acknowledged that the Administration proffered a motion for the Council to accept the School Committee vote which he agreed should be done saying that without the acceptance of the declaration nothing can move forward.

The Committee expressed their agreement that the property would not be used as a school again or that a school be rebuilt on that location and that the Council should accept the School Committee's vote.

Mr. Destino added said part of the analysis he's undertaking is looking at the leases the city holds for private property to house city departments, and noted that \$280,000 is being spent for the pre-school to lease space plus the \$40,000 for its utilities, as well as the Pond Road City Hall Annex lease need addressing. He said the matter of the leasing and what to do about it will be put forward at a later time during the discussion as options for the Council's consideration.

Councilor Verga said he would like information on the Linsky property, that if the property is set aside for a Public Safety Center, the Linsky property which is now for sale would be good for the city to possibly have for fire and police access from the property. **Mr. DiStefano** said he has asked for information on that property in relation to the Councilor's ask and would present that as part of the Administration's information package. **Mr. Destino** said it is the Administration's intent to tackle the project this year, and that the property as it stands is a public safety hazard and the city needs to move forward as quickly as possible.

Councilor Lundberg reminded the Committee of the non-binding referendum on last year's ballot where the voters made it known they preferred a multi-use option for the property. **Councilor McGeary** also reminded the Committee and Administration representatives of the domino effect or "knock on" in removing the Fire Station to the property and the Annex moving elsewhere -- that the study should include knock on effects -- what is positive and negative. **Councilor Verga** said there will need to be a discussion about the Police Department building if the police move to the property -- and that a conversation needs to be had with the District Court system.

Councilor LeBlanc pointed out that they're talking about the YMCA, the Public Safety departments and the City Hall Annex moving to the property, but cautioned that the Council should remember there is a need to keep the downtown vibrant and viable as well which is another potential knock on effect.

MOTION: On a motion by Councilor Lundberg, seconded Councilor Lundberg, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend that the City Council accept the vote of the Gloucester School Committee to declare the property located on Schoolhouse Road and known as the Fuller School property being approximately 13.3+/- acres as surplus school property which is no longer needed for school purposes. This vote shall not serve as an authorization by the Council to dispose of this land under GCO c. 2, Sec. 2-3(a) or Under MGL c. 30B.

This matter is now considered closed by the Committee.

2. SCP2014-012: Thatcher Road #78, Map 179, Lot 44, GZO 2.3.1.7 conversion to or new multi-family or apartment dwelling, four to six dwelling units and Sec. 2.7.1 Major Projects (Cont'd from 01/07/15)

Councilor Verga said this matter is still under advisement with ConCom who has been pushed out further their deliberations on the project, and other city departments who need to submit information to the Committee have yet to conclude their review on the project. He said this would be an introductory review of the project.

Joel Favazza, Seaside Legal Solutions, Gloucester, MA, representing the applicant, 78 Thatcher Road LLC by John P. Flaherty, Manager, and reviewed the Special Council Permit under GZO Sec. 2.3.1.7 for a new multi-family or apartment dwelling, four to six dwelling units, and Sec. 2.7.1 Major Projects presented an overview of the applicant's project as follows:

OVERVIEW OF PROPERTY AND ZONING:

The P&D Committee is waiting at this time to hear from the Planning Board, city staff and the Conservation Commission (ConCom). The project would have had to go before ConCom because the property is situated in buffer zone. ConCom has already suggested changes to the landscaping plan, and that the Fire Chief and the City Engineer have asked for changes and are working with the project's architect to firm up plan amendments and are not yet ready.

One of the reasons the Committee is waiting for the information from the Planning Board and city staff technical reports is because the property on the opposite corner of Witham Street and Thatcher Road pulled a permit for a twelve-unit condominium project within 36 months of this application being received by the Council and thereby forces this applicant into a Major Project review project standard -- otherwise this would have come before the Council as a multi-family project as the scale of the project would not have reached the Major Project threshold. The property at 78 Thatcher Road is better known as the site of Amelia's Restaurant adjacent to Good Harbor Beach. It was noted by **Mr. Favazza** that the 78 Thatcher Road project is in no way related to the project at 74 Thatcher Road, also a condominium development by Briernack Realty LLC.

The process has been ongoing since May 2014. The property at 78 Thatcher Road is on a corner of Witham and Thatcher Road. The parcel was zoned Extensive Business which didn't allow residential use. The owner, 78 Thatcher Road LLC, John Flaherty as manager of the LLC who proposed to put residences on the property, it necessitated that the parcel be rezoned which went through the Council and Planning Board and was changed to R-10, matching the neighboring properties.

HEIGHT AND FLOOD PLAIN CONSIDERATIONS:

The applicant went to the Zoning Board of Appeals (ZBA) for dimensional relief. At a multifamily level setbacks are driven in part by the height of the building – the building height will be 34 feet, 6 inches which places the building 20 feet above the arbitrary 15 foot height limit, which means that there is a need to add 20 feet of setback to all of the project's setbacks. The project had been designed initially with setbacks from a 30 foot height. But the fact that the property is in a flood plain that requires that the first habitable level is above the flood plain. The flood plain is about 6 to 7 feet above level the existing parking lot. If the first level is started 6 to 7 feet up it creates an awkward space under the building which can't be used for any purpose so the architect made the decision to go up a few more feet in order to create garages underneath the six units which makes practical use of the uninhabitable area and it adds significant parking to the project. This then brings the height of the building to 35 feet which is measured to the building peaks, as well as the railings of roof decks centered on the roof.

The ZBA process put through the requested dimensional relief determining that the building is sufficiently set back so that it doesn't create overshadowing or towering conditions. Different building materials, moving the attached units forward and as recessed, and roof styles will be used to break up the visual effect as viewed from the street.

Plan CS-1 (on file and displayed to the Committee) shows the footprint of the proposed building with the shape of the building being driven by the setbacks and the shape of the lot. After receiving zoning relief the Special Council Permit application was submitted for a multi-family dwelling, and under the Major Project review.

NEIGHBORHOOD MEETINGS ON PROJECT:

Before each of the filings, both the rezoning and the ZBA, three informational neighborhood meetings were held at the site attended by 24 to 36 neighbors for each meeting that had the plans on display with informal question and answer sessions. It was Ward 1 Councilor, Paul McGeary, was present at all three meetings. There have been no vocal opponents, although some concern was expressed regarding off-street parking and flooding issues, which Mr. Favazza said that all concerns appear to have been adequately addressed.

FLOOR PLANS:

The project calls for two levels of three flats so that each unit is a single level living space. Each unit has a dedicated parking garage under the building and there is also on-site parking.

LANDSCAPING & STORMWATER:

Councilor McGeary inquired about the planned landscaping. **Mr. Favazza** noted if one drives to the site now they would see neatly trimmed grass extending from the legal way through the property line which shows the improved portion of Thatcher Road. He noted that the architect using grading techniques to create undulations on the property to simulate dune shapes to be planted with dune grasses fitting into a coastal beach area and to help to shield the first level parking garages with decorative walls. It is anticipated the building will appear as a two story structure from the street making it more pleasing to the eye. ConCom pointed out that the planting plan had some non-native species that would have survived, but had advised that all native species would be more appropriate, and that plan is being revised currently and will be submitted for ConCom's approval.

Mr. Favazza also spoke of the stormwater controls on further inquiry by **Councilor McGeary**. He explained the following: The applicant's site engineer and the city engineer have been working collaboratively on the project's stormwater management. Standards require that a stormwater system plans for "the big event." The entire parcel is a flood plain, and when such a big event happens, there will be standing water on the site. The garages are being built to all flood plain regulations to ensure that water is able to pass through but at the same time maintaining the proper separation of garage bays to meet fire codes, which have been worked out.

The rest of the planning is based on what transpires during normal rain events. The plan is to reuse some components of the on-site stormwater containment system and upgrading what remains on site if it is needed, and installing some new components to the stormwater system.

Plan C3-Grading and Drainage on the site was displayed (on file). It was noted that the units will be hooked up to city sanitary disposal. For stormwater disposal, before water meets public drains, run-off is directed to multiple bio-retention beds for natural sediment control. Within the underground pipes will be sediment traps/separators, and described the bio-retention areas for the Committee based on the Grading and Drainage plan on file. The plan was described is to store as much of the snow on site as possible, and when the bio-retention area is passed and two of

the guest parking spaces on the northerly side of the building, the snow will have to be removed off of the property. It was noted the applicant is committed to not piling snow along the roadways and the drives.

PUBLIC SAFETY ASPECTS OF PROJECT:

Another issue being worked out is fire apparatus access to the property and proposed structure. The openings for both driveways are the existing curb cuts which were proposed at 18 feet, but per the suggestion of city staff the curb cuts will be widened to 24 feet. This widening of the curb cuts will mean that even the Fire Department's ladder truck will be able to make all of the turns on the property without having to mount curbs or lawn. The Fire Department is also working on the location of the "Siamese" connection for the fire hoses which is anticipated being located the western side of the building (to be determined by the Fire Department). The Fire Department has acknowledged to the applicant that in case of an issue in the building, their equipment would be staged on Witham Street, and therefore that is the side of the property where the connection would be and is preferred.

Councilor McGeary confirmed that he did attend all three neighborhood meetings well attended by the neighbors, and the response to the project was generally positive.

This matter is continued to February 18, 2015.

3. **CC2015-001 (Verga) Request P&D & O&A Standing Committees together and in connection with City Council Order 2014-039 regarding the position of the Executive Director of the Fisheries Commission, assure that the structure of the Fisheries Commission be consistent with the requirements of the Special Acts governing the commission particularly the requirements of Chapter 361 of the Acts of 1980 and Chapter 740 of the Acts of 1981**

Councilor Verga said he put in an order for O&A Committee to look at the job description of Executive Director of the Fisheries Commission late last year, which is under review with the Fisheries Commission at this time. It was brought to his attention that the composition of the Commission didn't comply with the Special Acts which governed it and so he put forward this current order so that there could be clarity on that and several other possible issues related to the Fisheries Commission.

Ms. Lowe noted that in the last iteration of special acts (on file) some years ago it says the Fisheries Commission is composed of 13 members which she termed as unwieldy, as did **Councilor Verga**. She said she spoke prior to the meeting with the Chair, and that a Pier Advisory Board created in under the Special Acts of 1981 for the development of the city's State Fish Pier under MGL c. 740. That Board was created to oversee the building of the State Fish Pier, and in reading through that Act, Ms. Lowe said she learned that it is the Pier Advisory Board that is charged with appointing the Executive Director of the Fisheries Commission that position reports to that Board. She said she spoke to Jim Caulkett, Harbormaster, which led her to a division of MassDevelopment's executive for the State Fish Pier who said that the Pier Advisory Board hasn't existed for years and is defunct. **Ms. Lowe** suggested that another Special Act should be put forward acknowledging that the Pier Advisory Board is defunct and that there is a need for clarification not only for the Fisheries Commission's Executive Director position, but whom and redefining that position, as well as the Commission's composition.

Councilor Lundberg said the Fisheries Commission is a creature of the state law but the Mayor is the appointing authority of it. **Ms. Lowe** said it is an oddity and doesn't know why it was in a special act, but noted it is not a standard local board, and that state law authorized the Commission's creation. Changes such as those which are suggested are always by Special Acts of the Commonwealth legislature.

Councilor Verga said the city isn't handling the Fisheries Commission correctly in relation to the Special Acts, it appears and to that end he would place a call to State Representative Ann-Margaret Ferrante to work on a Special Act to make the Commission and its position of Executive Director more realistic. He noted as the Commission is composed now, it is hard to get a quorum with nine active members.

This matter is continued to March 18, 2015.

A motion was made, seconded and voted unanimously to adjourn the meeting at 6:13 p.m.

**Respectfully submitted,
Dana C. Jorgenson,
Clerk of Committees**

DOCUMENTS/ITEMS RECEIVED AT MEETING: None.



GLOUCESTER CITY COUNCIL 2015 PUBLIC HEARING

PUBLIC HEARING NUMBER: PH2015-006

SUBJECT: SCP2014-012: Thatcher Road #78, Map 179, Lot 44, GZO 2.3.1.7
Conversion to or new multi-family or apartment dwelling, four to
six dwelling units and Sec. 5.7.1 Major Projects

DATE OPENED: 01/27/15

CONTINUED TO: 02/24/15

CONTINUED FROM: 01/13/15

COMMITTEE: P&D 01/07/15, 01/21/15

Legals

NOTICE OF PUBLIC HEARINGS
In accordance with the provisions of MGL Chapter 40A, section 11, the Gloucester City Council will hold public hearings on Tuesday, January 13, 2015 at 7:00 PM in the Kyrouz Auditorium, City Hall, relative to the following Special Council Permit Applications:

SCP2014-012: 78 Thatcher Road, LLC by John P. Flaherty, Manager for a Special Council Permit to build a 6-unit multi-family pursuant to GZO Sec. 2.3.1.7 and 5.7.1 located at 78 Thatcher Road, Assessors Map 179, Lot 44 in the R-10 (Medium/High Density Residential) District.

SCP2014-013: Marc Cunningham and Melissa Cunningham for a Special Council Permit for building height in excess of 35 feet pursuant to GZO Sec. 1.10.1(a) (1) and Sec. 3.1.6(b) located at 125 Mt. Pleasant Avenue, Assessors Map 79, Lot 17 in the R-10 (Medium/High Density Residential) District.

At the public hearings, all interested persons will have the opportunity to be heard based on the procedures determine by the Council. All written communications to the Council must be received by the office of the City Clerk no later than 3 business days (excluding holidays and weekends) prior to the scheduled hearing date or any continuation by the Council of such date in order to be considered by the Council as part of the public hearing.

By Vote of the City Council
Linda T. Lowe, City Clerk
GT - 12/29/14; 1/5/15

THIS PUBLIC HEARING WILL BE OPENED AND CONTINUED TO THE
CITY COUNCIL MEETING OF FEBRUARY 24, 2015

CITY CLERK
GLOUCESTER, MA
15 JAN 22 PM 4:07

January 22, 2015

City of Gloucester City Council
c/o Linda T. Lowe, City Clerk
City Hall – Nine Dale Avenue
Gloucester, MA 01930

RE: 78 THATCHER ROAD, LLC – MULTI-FAMILY PERMIT APPLICATION

Dear Councilors:

This office continues to represent 78 Thatcher Road, LLC, which filed an application for a Multi-Family Special Permit with the City of Gloucester City Council on November 12, 2014. I am writing on behalf of my client to waive its right to a public hearing on its application within sixty-five days of filing and extend the deadline for such a hearing to February 24, 2015.

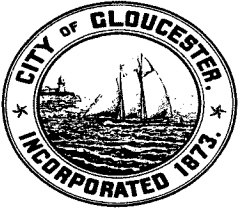
Please contact my office if you have any questions or concerns. Thank you.

Sincerely,



Joel Favazza

JF/fea



GLOUCESTER CITY COUNCIL 2015 PUBLIC HEARING

PUBLIC HEARING NUMBER: PH2015-008

SUBJECT: SCP2014-014: Pleasant Street #48, GZO Sec. 2.3.1(6) conversion to 3 unit multi-family; Sec. 3.1.6(b) height in excess of 35 feet; Sec. 3.2.2 fn(a) decrease in minimum lot area per dwelling; 3.2.2 fn(a) decrease in minimum open space per dwelling unit.

DATE OPENED: 01/27/15

CONTINUED TO:

CONTINUED FROM:

COMMITTEE: P&D 01/07/15

Legals

NOTICE OF PUBLIC HEARINGS

In accordance with the provisions of MGL Chapter 40A, section 11, the Gloucester City Council will hold public hearings on Tuesday, January 27, 2015 at 7:00 PM in the Kyrouz Auditorium, City Hall, relative to the following Special Council Permit Applications:

SCP2014-014: Foghorn Properties, Inc. for a Special Council Permit for conversion from a professional office building to a 3-unit multi-family residential dwelling pursuant to GZO Sec. 1.8.3 and 2.3.1 (6); Sec. 3.1.6(b) to allow height in excess of 35'; Sec. 3.2.2 fn(a) to allow a decrease in minimum lot area per dwelling unit and to allow a decrease in minimum open space per dwelling unit located at 48 Pleasant Street, Assessors Map 14, Lot 20 in the Civic Center District.

SCP2014-015: Katherine L. Richmond for a Special Council Permit for building height in excess of 35' pursuant to GZO Sec. 1.10.1(a) (1) and Sec. 3.1.6(b); and Sec. 2.3.1(7) conversion to or new multi-family or apartment dwelling, four to six dwelling units located at 21 Centennial Avenue, Assessors Map 5, Lot 50 in the R-5 (High Density Residential) District.

At the public hearings, all interested persons will have the opportunity to be heard based on the procedures determine by the Council. All written communications to the Council must be received by the office of the City Clerk no later than 3 business days (excluding holidays and weekends) prior to the scheduled hearing date or any continuation by the Council of such date in order to be considered by the Council as part of the public hearing.

By Vote of the City Council
Linda T. Lowe, City Clerk
GT - 1/12, 1/19/15

Notice shall be made by the event organizer by hand or by mail no later than 7 (seven) days in advance of the event to any function halls, motels and hotels, and other businesses along the race route.

7. Responsibility of the Children's Center for Communication:

The applicant is also required to obtain any necessary approvals from the Licensing Board, the Health Department, and the Licensing Commission. It is the sole responsibility of the Children's Center for Communication to ensure that all required documentation is timely filed with the appropriate City departments as indicated. Failure to comply with any conditions precedent may result in permit revocation. Any changes to the route must receive prior approval from the Police and Fire Departments.

2. CC2014-039 (Verga) Request P&D & O&A Standing Committees review the positions of Harbor Planning Director and the Executive Director of the Fisheries Commission (Cont'd from 11/22/14)

This matter is continued to February 18 pending information being forwarded from the Fisheries Commission.

3. Memorandum from DPW Director recommending acceptance of a private sewer extension for Eagle Road/Nicolette Van Stigt

Nicolette Van Stigt, 4 Eagle Road, the owner of the private sewer on Eagle Road was present. Councilor Verga explained there was a memorandum from the DPW Director with a recommendation to accept this private sewer extension dated October 31, 2014, on file, which indicated that it only services one home, has been in place since 2006.

MOTION: On motion by Councilor Fonvielle, seconded by Councilor LeBlanc, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the City Council that the City of Gloucester accept ownership of and full responsibility for the sewer extension and all existing laterals based on submitted "as built" that lay within the streets known as Eagle Road in its entirety constructed by Jim Ketchopulos and Sons, 40 School Street, Rockport, MA, and as shown on the plan entitled "As-Built Sewer Extension Plan" prepared by Gateway Engineering, 33 Forest Hill Avenue, Lynnfield, MA, dated 9/28/08 with the following conditions:

1. That the existing, current DPW Rules and Regulations pertaining to the city's acceptance of private sewers are adhered to;
2. That the homeowner residing at Eagle Road #4 represented by Nicolette C. Van Stigt of Eagle Road and the City of Gloucester by its appropriate Administrative staff coordinates the execution and exchange of all documents deemed necessary by the City of Gloucester's legal office to effectuate the transfer of ownership and control of the as-built sewer project to the City of Gloucester.
4. **SCP2014-012: Thatcher Road #78, Map 179, Lot 44, GZO 2.3.1.7 conversion to or new multi-family or apartment dwelling, four to six dwelling units and Sec. 2.7.1 Major Projects (Cont'd from 12/10/14)**

This matter is continued to January 21, 2015 at the request of the applicant (letter on file).

- 5. **SCP2014-014: Pleasant Street #48, Map 14, Lot 20, GZO Sec. 2.3.1(6) conversion to 3-unit multi-family; Sec. 3.1.6(b) height in excess of 35 feet; Sec. 3.2.2fn(a) decrease in minimum lot area per dwelling; 3.2.2 fn (a) decrease in minimum open space per dwelling unit**

Attorney Deborah Eliason, 63 Middle St., representing Foghorn Properties, Inc., Cynthia & John Bjorlie (applicant) explained the requests for a conversion to a three-family dwelling from a commercial property at Pleasant St. #48 and submitted an Executive Summary of information previously on file with the Committee. She reviewed the application as follows:

Ms. Eliason oriented the Committee to the property's location from a displayed map of the lot (on file). The building was constructed in the 1900's. Both the building and lot area are preexisting and non-conforming.

The Applicant has been before the Historic District Commission (HDC) receiving favorable comments on the proposed design and its sensitivity to the historic character of the building, although the applicant doesn't have final

approval from the HDC yet. In addition the Applicant has received the requested zoning relief from the Zoning Board of Appeals (ZBA) (on file). Aesthetic modifications have been made to the exterior of the building since appearing before the ZBA to accommodate the requests of the HDC. The height of the attached garage has also been reduced by approximately one foot per the HDC request (plans show this on file). It is expected that the HDC final approval at their next meeting.

The Applicant intends to perform significant interior and exterior renovations to bring the building back to its former glory. The Applicant has a strong sense of the community and a commitment to the neighborhood wanting the project to fit in and preserve its history.

Orienting the Committee to a displayed building plans (on file), **Ms. Eliason** reviewed that the proposal is to construct two additions to an existing building, including an attached two-car garage on the Franklin Square side of the building and an addition to the rear of the building, abutting the Post Office, adding floor space to all levels of the building, including the basement. The building will be converted from a professional office building to three residential condominium units with the required off street parking ("Project") is included plus.

She noted that Special Permits are required to allow such a conversion as well for exceeding the height of 35 feet. The existing height of the building is 35 feet, 8 ½ inches which will not be exceeded. Additionally, the request before the Council is a decrease in minimum lot area per dwelling 1,808 square feet per unit per lot area and to decrease the minimum open space per dwelling unit to 962 square feet.

Ms. Eliason reviewed that the legal standard is to determine that the proposed use will not have adverse effects which overbalance the effects to the city. With that, she reviewed the Project's compliance with GZO Sec. 1.8.3:

1. Social, economic and community needs: The applicant is trying to bring the building back to its original purpose which was an historic residential use. The proposed design remains true to the historic residential architecture of the existing building. The renovations will improve both the inside and outside of the building. The change in use is consistent with the neighborhood. It was pointed out that properties adjacent to 48 Pleasant Street (on file) are residential uses, some recently converted, and are also professional offices and business uses which lends vitality to the downtown supporting local businesses.
2. Traffic flow and safety: There is currently one parking space on site. One off-street parking space is required per unit is required under the Zoning Ordinance, which would mean three spaces with one already existing. The Project proposes four spaces compliant with dimensional zoning requirements. Two additional spaces which don't meet the zoning requirements will consist of one tandem space and one for a smaller car. The entrances to the parking will be off of Franklin Square, which generally services only immediate neighborhood traffic.
3. Utilities and other public services: Existing utilities for the three units are adequate to serve the units. No additional demand for utilities is anticipated to service the change in use.
4. Neighborhood character and social structure: The Project is appropriate for the neighborhood and is consistent with its character and social structure of the neighborhood. The additions have been designed to minimize the impact on the neighborhood. The garage is low profile, and has been lowered in height by one foot. The main addition is to the rear of the building and abuts the post office rather than its residential neighbors. The design remains true to the historic architecture, and like many other historic buildings in this area there is a building constructed on a small lot taking up most of it, and is unlikely that it would meet the minimum lot space and open space requirements. In order to preserve the historic nature through renovation of the building there would be a need to make zoning concessions in order to preserve these historic buildings to ensure their useful life.
5. Qualities of the Natural Environment: Currently 51 percent of the frontage is vegetated. The total vegetated coverage within the frontage under the proposed plan will be increased to 67 percent which is compliance with the zoning ordinance. There is a large gravel surround which currently takes up much of the lot area. The Applicant will remove the gravel surround and will be increasing the vegetative coverage on the entire lot from 42 percent to 53 percent.
6. Potential fiscal impact: The three new residential units will add residential tax income to the city's tax base. It is expected that the units will be occupied by older residents and is expected to likely have minimal impact on the public school system. An increased residential presence in the downtown will help to revitalize downtown businesses as previously stated.

Ms. Eliason informed the Committee that the Applicant held a meeting attended by about 20 neighbors. She then submitted two letters of support for the application (placed on file)

Jonathan Poore, Poore & Company, 315 Washington Street, Project Designer, noted the gravel surround and showed a photograph of the building being perched on a mound similar to many downtown structures, and are using this to revert the gravel surround to landscaping. By digging into the mound, the garages were able to be installed

“semi-below” grade thereby minimizing the garages’ presence on the side of the building. The other garage is in the back of the building.

As to open space, above each of the garages, which are at grade, they will essentially be green roofs, landscaped and which replicates open space, **Mr. Poore** said. For the multi-storied building addition they stayed inside the setback requirements, and anything outside of that is dug into the grade, and has a hardscape element and tucked in behind the building. The front of the building is a straight restoration replicating the dormers on two sides. The rear of the building is where most of the changes were made which is visible from the back side of the Post Office building. The outdoor parking is nestled between the two garages. They have been able to leave all the roof lines, decorative features of the building and preserve the building’s original volume.

Councilor Fonvielle asked if the garages connect with an interior access. **Mr. Poore** said that they will and also connect to an elevator which is not required but is an amenity to the owners providing additional interior access. **Councilor Fonvielle** asked if all or some of the units are American with Disabilities Act (ADA) compliant given the anticipation that these units will appeal to an older demographic. **Mr. Poore** said the units are not specifically ADA compliant but are designed with the spirit and intent of accessibility. **Councilor Fonvielle** asked about vehicle turning radius related to access to the garages. **Mr. Poore** said that the turning radius was studied and assured there is appropriate room to exit and enter the garages by a normal sized vehicle, not SUV’s. Franklin Square has very light traffic on it, he pointed out.

Councilor Cox noting that a light post is greyed out on a drawing of the rear of the building, but it exists. **Mr. Poore** said it was for the clarity of the presentation and assured that the parking spaces are all unfettered, and briefly discussed the garage access which was deemed appropriate. **Councilor Cox** said she appreciated that the applicants had a neighborhood meeting saying she had received comments of concern prior to the meeting but after the meeting the presentation laid to rest many of the neighborhood’s concern especially related to the off-street parking plans.

Councilor LeBlanc noted the Council has done a few of these similar open space decreases recently and didn’t see any negative impact to the neighborhood. He added that this renovation and revitalization of an historic building will be an asset to the downtown. **Mr. Poore** offered that there was a conscience pulling back on the addition to tuck it in away from the corner of the property to keep it at grade to honor as much as possible open space.

Councilor Fonvielle expressed he was impressed with the design and plans for the Project.

Councilor Verga said this is a great project and will be an asset to the city’s downtown.

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor Fonvielle, the Planning & Development Committee voted 3 in favor, 0 opposed, to recommend that the City Council grant a Special Council Permit (SCP2014-014) to allow for a three-unit residential building to be converted from a commercial building at 48 Pleasant Street, Gloucester Massachusetts, Map 14, Lot 20, zoned Civic Center District (CCD), pursuant to Sections 2.3.1(6) conversion to a 3-unit multi-family dwelling; 3.1.6(b) height in excess of 35 feet by 8 ½ inches for a total of 35 feet, 8 ½ inches, Sec. 3.2.2 fn(a) decrease in minimum lot area per dwelling unit from 2,500 square feet to 1,808 square feet for a total reduction of 692 square feet; Sec. 3.2.2. fn(a), decrease in minimum open space per dwelling unit from 1,250 square feet to 962 square feet for a total decrease of 288 square feet. The application under GZO Sec. 1.8.3 is deemed in harmony with the intent and purpose of the zoning ordinance governing Special Council Permits.

This matter will be advertised for public hearing.

6. SCP2014-015: Centennial Avenue #21, Map 5, Lot 50, GZO 1.10.1(a)(1); 3.1.6(b) height in excess of 35 feet; 2.3.1.7 conversion to or new multi-family or apartment dwelling; four to six units

Attorney Joel Favazza, Seaside Legal Solutions, 111 Main Street, representing Katherine L. Richmond (“Applicant”) for a Special Council Permit for a building exceeding 35 feet in height pursuant to Sec. 1.10.1(a)(1) and 3.1.6(b) Multi-family Special Permit pursuant to Sec. 2.3.1.7 for an existing multi-family dwelling at 21 Centennial Avenue, explained the following:

The Applicant is seeking to take an existing structure in its current configuration since 1994 to get it the proper zoning relief as a six unit multi-family building. The date of 1994 is when the current owner purchased the property and when purchased the building was configured as six units. He noted that in anecdotal discussions with some city officials, he was told the building was six units well before that time as well.

However, the city has the building on record as permitted for five unit multi-family dwelling, and that the Applicant is looking to add the sixth unit to satisfy the Applicant’s lender. The Applicant has recently applied for and received the necessary relief from the Zoning Board of Appeals (ZBA) to allow for parking in the front of the



GLOUCESTER CITY COUNCIL 2015 PUBLIC HEARING

PUBLIC HEARING NUMBER: PH2015-009

SUBJECT:

SCP2014-015: Centennial Avenue #21, GZO 1.10.1(a); 3.1.6(b) height in excess of 35 feet; 2.3.1.7 conversion to or new multi-family or apartment dwelling; four to six units

DATE OPENED:

01/27/15

CONTINUED TO:

CONTINUED FROM:

COMMITTEE:

P&D 01/07/15

Legals

NOTICE OF PUBLIC HEARINGS

In accordance with the provisions of MGL Chapter 40A, section 11, the Gloucester City Council will hold public hearings on Tuesday, January 27, 2015 at 7:00 PM in the Kyrrouz Auditorium, City Hall, relative to the following Special Council Permit Applications:

SCP2014-014: Foghorn Properties, Inc. for a Special Council Permit for conversion from a professional office building to a 3-unit multi-family residential dwelling pursuant to GZO Sec. 1.8.3 and 2.3.1 (6); Sec. 3.1.6(b) to allow height in excess of 35'; Sec. 3.2.2 fn(a) to allow a decrease in minimum lot area per dwelling unit and to allow a decrease in minimum open space per dwelling unit located at 48 Pleasant Street, Assessors Map 14, Lot 20 in the Civic Center District.

SCP2014-015: Katherine L. Richmond for a Special Council Permit for building height in excess of 35' pursuant to GZO Sec. 1.10.1(a) (1) and Sec. 3.1.6(b); and Sec. 2.3.1(7) conversion to or new multi-family or apartment dwelling, four to six dwelling units located at 21 Centennial Avenue, Assessors Map 5, Lot 50 in the R-5 (High Density Residential) District.

At the public hearings, all interested persons will have the opportunity to be heard based on the procedures determine by the Council. All written communications to the Council must be received by the office of the City Clerk no later than 3 business days (excluding holidays and weekends) prior to the scheduled hearing date or any continuation by the Council of such date in order to be considered by the Council as part of the public hearing.

By Vote of the City Council
Linda T. Lowe, City Clerk
GT - 1/12, 1/19/15

“semi-below” grade thereby minimizing the garages’ presence on the side of the building. The other garage is in the back of the building.

As to open space, above each of the garages, which are at grade, they will essentially be green roofs, landscaped and which replicates open space, **Mr. Poore** said. For the multi-storied building addition they stayed inside the setback requirements, and anything outside of that is dug into the grade, and has a hardscape element and tucked in behind the building. The front of the building is a straight restoration replicating the dormers on two sides. The rear of the building is where most of the changes were made which is visible from the back side of the Post Office building. The outdoor parking is nestled between the two garages. They have been able to leave all the roof lines, decorative features of the building and preserve the building’s original volume.

Councilor Fonvielle asked if the garages connect with an interior access. **Mr. Poore** said that they will and also connect to an elevator which is not required but is an amenity to the owners providing additional interior access. **Councilor Fonvielle** asked if all or some of the units are American with Disabilities Act (ADA) compliant given the anticipation that these units will appeal to an older demographic. **Mr. Poore** said the units are not specifically ADA compliant but are designed with the spirit and intent of accessibility. **Councilor Fonvielle** asked about vehicle turning radius related to access to the garages. **Mr. Poore** said that the turning radius was studied and assured there is appropriate room to exit and enter the garages by a normal sized vehicle, not SUV’s. Franklin Square has very light traffic on it, he pointed out.

Councilor Cox noting that a light post is greyed out on a drawing of the rear of the building, but it exists. **Mr. Poore** said it was for the clarity of the presentation and assured that the parking spaces are all unfettered, and briefly discussed the garage access which was deemed appropriate. **Councilor Cox** said she appreciated that the applicants had a neighborhood meeting saying she had received comments of concern prior to the meeting but after the meeting the presentation laid to rest many of the neighborhood’s concern especially related to the off-street parking plans.

Councilor LeBlanc noted the Council has done a few of these similar open space decreases recently and didn’t see any negative impact to the neighborhood. He added that this renovation and revitalization of an historic building will be an asset to the downtown. **Mr. Poore** offered that there was a conscience pulling back on the addition to tuck it in away from the corner of the property to keep it at grade to honor as much as possible open space.

Councilor Fonvielle expressed he was impressed with the design and plans for the Project.

Councilor Verga said this is a great project and will be an asset to the city’s downtown.

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor Fonvielle, the Planning & Development Committee voted 3 in favor, 0 opposed, to recommend that the City Council grant a Special Council Permit (SCP2014-014) to allow for a three-unit residential building to be converted from a commercial building at 48 Pleasant Street, Gloucester Massachusetts, Map 14, Lot 20, zoned Civic Center District (CCD), pursuant to Sections 2.3.1(6) conversion to a 3-unit multi-family dwelling; 3.1.6(b) height in excess of 35 feet by 8 ½ inches for a total of 35 feet, 8 ½ inches, Sec. 3.2.2 fn(a) decrease in minimum lot area per dwelling unit from 2,500 square feet to 1,808 square feet for a total reduction of 692 square feet; Sec. 3.2.2. fn(a), decrease in minimum open space per dwelling unit from 1,250 square feet to 962 square feet for a total decrease of 288 square feet. The application under GZO Sec. 1.8.3 is deemed in harmony with the intent and purpose of the zoning ordinance governing Special Council Permits.

This matter will be advertised for public hearing.

- 6. *SCP2014-015: Centennial Avenue #21, Map 5, Lot 50, GZO 1.10.1(a)(1); 3.1.6(b) height in excess of 35 feet; 2.3.1.7 conversion to or new multi-family or apartment dwelling; four to six units*

Attorney Joel Favazza, Seaside Legal Solutions, 111 Main Street, representing Katherine L. Richmond (“Applicant”) for a Special Council Permit for a building exceeding 35 feet in height pursuant to Sec. 1.10.1(a)(1) and 3.1.6(b) Multi-family Special Permit pursuant to Sec. 2.3.1.7 for an existing multi-family dwelling at 21 Centennial Avenue, explained the following:

The Applicant is seeking to take an existing structure in its current configuration since 1994 to get it the proper zoning relief as a six unit multi-family building. The date of 1994 is when the current owner purchased the property and when purchased the building was configured as six units. He noted that in anecdotal discussions with some city officials, he was told the building was six units well before that time as well.

However, the city has the building on record as permitted for five unit multi-family dwelling, and that the Applicant is looking to add the sixth unit to satisfy the Applicant’s lender. The Applicant has recently applied for and received the necessary relief from the Zoning Board of Appeals (ZBA) to allow for parking in the front of the

building. The ZBA went through this in 2000, and 2006, and the Applicant received the necessary relief but did not follow up with the City Council to complete the permitting process. Therefore the relief being sought from the City Council is to declare this a six unit multi-family dwelling, and that there be a height exception as the building height is 37 feet.

Mr. Favazza advised the Committee that the application addresses GZO Sec. 1.8.3, the six criteria of a Special Council Permit. He reiterated that no changes are being made to the exterior or interior of the building and will remain as is, but that the Applicant seeks to be in compliance with the Zoning Ordinance.

Councilor LeBlanc noted he was very familiar with the building.

Linda T. Lowe, City Clerk, explained that in discussion with Mr. Favazza that he will seek to get better proof of the height of the building demonstrating the actual height of 37 feet. She advised that although it is not required for this application to have a surveyor's or engineer's signed plan, a plan needs to demonstrate the height of the building, not just by a notation on a drawn plan. It is expected that Mr. Favazza will provide something that reflects the height prior to the Council's public hearing which at that time the Chair can sign that written evidence of the height at that time, she added.

COMMITTEE RECOMMENDATION: On a motion by Councilor Fonvielle, seconded by Councilor LeBlanc, the Planning & Development Committee voted 3 in favor, 0 opposed, to recommend that the City Council grant a Special Council Permit (SCP2014-015) for 21 Centennial Avenue to Karen L. Richmond, to allow for a six-unit residential building to remain as it stands at 21 Centennial Avenue, Gloucester, Massachusetts, Map 5, Lot 50, zoned High Density Residential (R-5) pursuant to Sections 1.10.10(a)(1) and 3.1.6(b) height in excess of 35 feet for a total of 37 feet (2 feet above 35 feet), and Sec. 2.3.1.7, Conversion to, or new multi-family or apartment dwelling, four to six dwelling units. The application is deemed in harmony with the intent and purpose of the Zoning Ordinance governing Special Council Permits under GZO Sec.1.8.3.

This matter will be advertised for public hearing.

7. *Committee discussion on recent FCC rules establishing regulations around co-location of wireless communications equipment*

Councilor Verga said this matter is before the Committee because of an article from an MMA publication the City Clerk forwarded to him on recent changes in FCC regulations. **Ms. Lowe** explained that cell towers are highly regulated, and there isn't a lot of flexibility for municipalities who must do what the federal regulations state which has now been narrowed even more recently. She said that the city's collocation ordinance has been in place for 20 years, drafted by an expert consultant in the field. She noted now federal regulations state that since collocation is favored even in the industry that the timeframe from receipt of a collocation application is narrowed to 60 days and must be approved. She suggested that the city ordinance may need some minor amendments to say that the city recognizes that collocation is favored and that the timeframe to permitting is shortened to 60 days.

Councilor Fonvielle said he read the proposed regulations, and it contains a provision that essentially says in case of a collocation "event" that the operator of the tower can request a height increase of up to 10 percent of the existing height and the municipality must approve that request. He pointed out the operator could come back annually to make that request and the municipality must comply. It is a request but the municipality doesn't have the right to say no, **Ms. Lowe** pointed out.

Councilor Verga suggested that a Council Order could be put forward by the P&D Committee to explore and suggest changes to the cell tower collocation ordinance. He also suggested the \$5,000 contribution for training should also be reviewed.

A motion was made, seconded and voted unanimously to adjourn the meeting at 6:15 p.m.

**Respectfully submitted,
Dana C. Jorgenson, Clerk of Committees**

DOCUMENTS/ITEMS RECEIVED AT MEETING:

- Two letters of support of the Project for SCP2014-014, 48 Pleasant Street by Attorney Eliason with an Executive Summary of the Project

January 21, 2015

City of Gloucester City Council
c/o Linda Lowe, Clerk
Nine Dale Avenue
Gloucester, MA 01930

CITY CLERK
GLOUCESTER, MA
15 JAN 21 PM 3:47

RE: 21 CENTENNIAL AVENUE – HEIGHT PERMIT – AMENDED HEIGHT REQUEST

Dear Linda:

Per your request, I am enclosing a revised site plan indicating that the height of the building at 21 Centennial Avenue is only 35.5' above average grade, down from the 37' listed on the plan originally submitted.

The original 37' height was calculated by a surveyor who has since passed away. When P&D requested that someone sign off on the height, we thought it was best to commission a new survey from a registered surveyor. The result of this new survey is a height above average grade of 35.5'.

As such, the spirit of the request remains the same—allowing a building to remain as it has for decades—but the details of the requested relief should be amended to reflect that only 0.5' and not 2' of relief above 35' is needed.

Please contact my office with any questions or concerns. Thank you.

Sincerely,



Joel Favazza

American Land Survey Assoc., Inc.

42 Cherry Street Gloucester, MA 01930 (978) 281-7878 benson62@comcast.net

January 19, 2015

Joel Favazza

RE: 21 Centennial Ave.
Gloucester, MA

CITY CLERK
GLOUCESTER, MA
15 JAN 22 AM 8:28

Dear Joel,

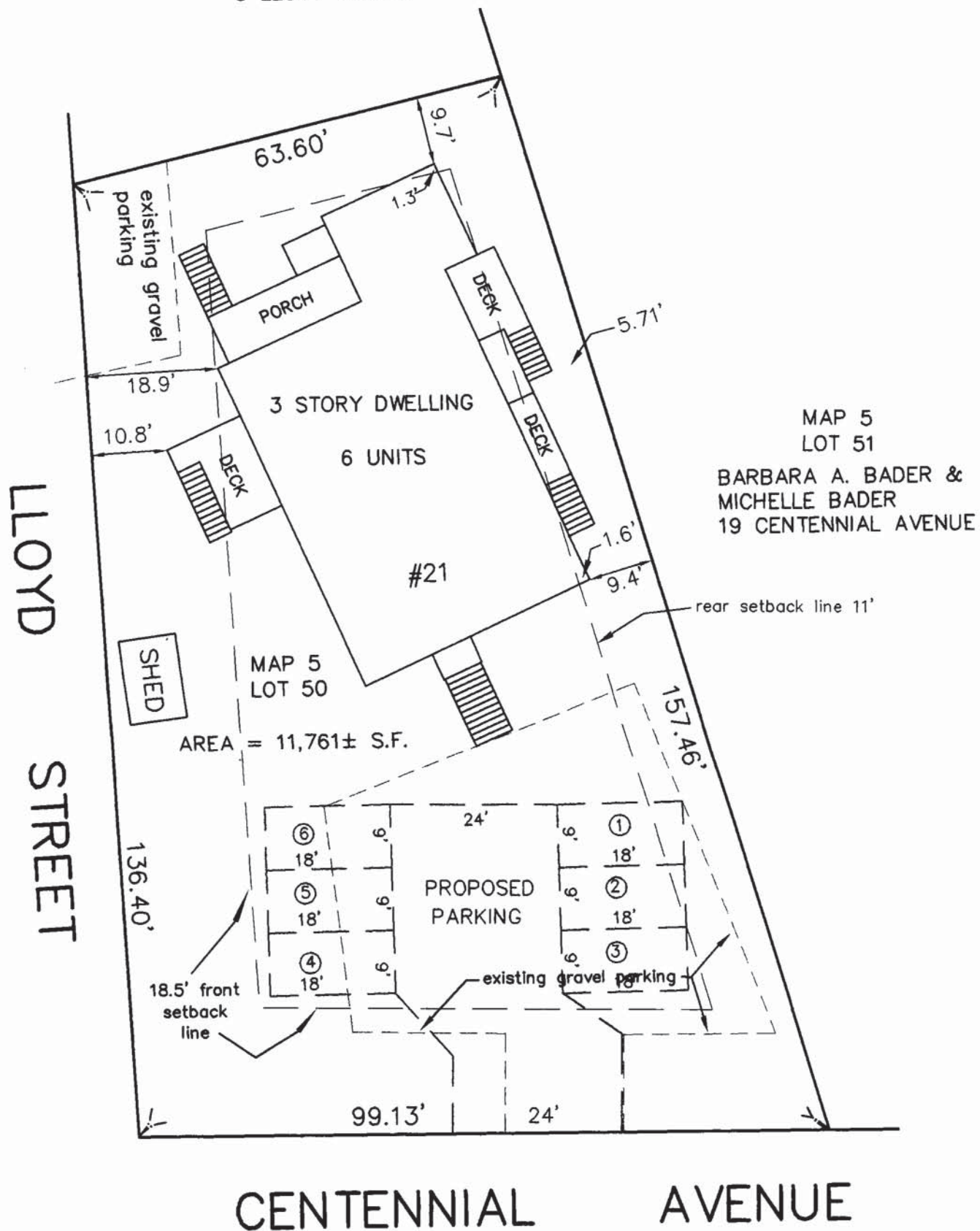
American Land Survey Associates, Inc. would like to thank you for the opportunity to provide you with professional land surveying services. We have completed a vertical survey of the dwelling located at 21 Centennial Avenue in Gloucester, MA. We find that based upon the ground measurements observed at eight (8) building corners that the average grade is 10.3' +/- . The observed building roof ridge is 45.8' +/- . The roof ridge is therefore 35.5' +/- above the existing average grade. Please be advised that if you were to include the four (4) additional corners of the cellar entry structure to the average grade calculation, that the average grade does not change significantly and will not alter the 35.5' +/- height. The elevations observed were based upon a published benchmark and the NGVD 1929 datum.

Should you have any questions or concerns regarding the above survey please do not hesitate to contact us.

Sincerely,

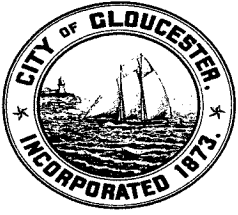
Kirk Benson, President, P.L.S.

MAP 5
LOT 49
WAYNE DECARO &
RUTH DECARO
5 LLOYD STREET



NOTE
- BUILDING HEIGHT = 35.5'

PARKING SKETCH
21 CENTENNIAL AVENUE
GLOUCESTER
PROPERTY OF
KATHERINE RICHMOND
SCALE 1" = 20' JANUARY 14, 2006
(Height updated 1/21/2015)



GLOUCESTER CITY COUNCIL 2015 PUBLIC HEARING

PUBLIC HEARING NUMBER: PH2015-010
SUBJECT: Amend GCO Chapter 6, Sec. 6-21 to 6-24 "City-Owned Cemeteries
Advisory Committee"
DATE OPENED: 01/27/15
CONTINUED TO:
CONTINUED FROM:
COMMITTEE: O&A 01/05/2015

GCO

LEGAL NOTICE NOTICE OF PUBLIC HEARING

The Gloucester City Council will hold a public hearing on **Tuesday, January 27, 2015** at 7:00 PM in the Kyrouz Auditorium, City Hall, relative to the following proposed amendment to the **Gloucester Code of Ordinances** as follows:

Amend Chapter 6, Sec. 6-21 to 6-24 "City-Owned Cemeteries Advisory Committee" by DELETING Sec. 6-21 to 6-24 in its entirety and ADDING a new Sec. 6-21 to 6-24 (full text on file in the City Clerk's Office and can be viewed during business hours).

At the public hearing, all interested persons will have the opportunity to be heard.

By Vote of the City Council
Linda T. Lowe, City Clerk

AD#13228762
CAB 1/16/15



6. CC2014-051 (Cox) Amend GCO c. 2, Sec. 6-21 to 6-24 "City-Owned Cemeteries Advisory Committee"

Councilor Cox explained that this committee was originally was a five-person committee, but because people have not stepped forward to reconstitute the committee, the number of slots on the committee has been reduced from five to three. She noted there is a proviso in the revised ordinance which allows the DPW to institute rate increase for burials if there is no committee. The last rate increase was in 1999, she noted, but pointed out that she is not encouraging a rate increase if it isn't justified, but the fact that there hasn't been a rate increase in 15 years is an issue regarding the cost of cemetery maintenance. She noted that she had polled Essex, Ipswich, Manchester and Rockport and gave the rates to the Assistant DPW Director who did a comparison of rates. She said an increase is advisable within the next year, and said she didn't want the rate increase to be committee bound, rather the ordinance allows the DPW to bring forward raises in rates if the committee is not reconstituted at the time an increase in burial rates are deemed appropriate by the DPW Director. It will allow the proposed rates to be presented through to the Council for their approval.

Councilor Cox discussed with the Committee some of the issues in encouraging residents to come forward and volunteer to be on such a committee. After a brief discussion with **Councilor Cox**, language was inserted under Sec. 6-22 for up to two alternates by the Committee at the suggestion of **Councilor Verga**.

Linda T. Lowe, City Clerk, pointed out that there aren't enough interested people who have come forward to volunteer as well as a lack of effort to seek people out for appointment which was why there has not been a committee in place for some time.

MOTION: On a motion by Councilor Verga, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO, c. 6, Sec. 6-21 to 6-24 "City-Owned Cemeteries Advisory Committee" by DELETING Sec. 6-21 to 6-24 in its entirety and ADDING a new Sec. 6-21 to 6-24 as follows:

Sec. 6-21. Established.

There is hereby established a city-owned cemeteries advisory committee.

Sec. 6-22. Composition, appointment and terms.

The City-Owned Cemeteries Advisory Committee shall consist of three members and up to two alternates, all of whom shall be residents of the city; one non-voting advisory member who is engaged in either the funeral, monument, or florist business; and the DPW Director or his designee as an ex-officio.

All appointments are to be for three years and made by the Mayor subject to the approval of the City Council. Member terms shall be for three years.

Sec. 6-23. Powers and Duties.

The Committee shall have the authority to recommend a yearly budget relative to the management and maintenance of all city-owned cemeteries subject to the approval of the DPW Director and the Mayor with final approval by the City Council. The Committee shall advocate for the wellbeing of all city-owned cemeteries. The Committee shall recommend to the Director any changes in the rates for perpetual care lots in city-owned cemeteries, and the Director shall propose any rate increases to the Mayor under Charter Sec. 7-16(a) who shall provide the proposed rates to the City Council for their approval under Charter Sec. 7-16(a).

Sec. 6-24. Regulations.

The Committee may propose regulations relative to the management of the city-owned cemeteries subject to the approval of the DPW Director and the Mayor under Charter Sec. 7-16(b) and approval and adoption by the City Council.

7. CC2014-052 (Verga/Theken) Request that City Council establish "The Ab Khambaty Extraordinary Performance/Service Award"

Councilor Stewart and Council President McGeary discussed briefly the overlap of criteria for height exceptions and the intent of the Zoning Ordinance, which **Councilor Stewart** noted he was a member of the committee that drafted that particular ordinance and expressed his concern.

MOTION: On a motion by Councilor Verga, seconded by Councilor Cox, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (LeBlanc) absent, to grant to Marc Cunningham and Melissa Cunningham a Special Council Permit (SCP2014-013) for the property located at Mt. Pleasant Avenue #125 (Assessor's Map 79, Lot 17), zoned R-10, pursuant to Gloucester Zoning Ordinance Sections 1.10.1(a)(1) and 3.1.6(b) for a building height in excess of 35 feet, for a residential building to be 38 feet, 8 inches (for a total height exception of 3 feet, 8 inches over 35 feet). This Special Council Permit is made on the basis of the plans and elevations dated 10/18/14 by Jason Gove, Architect, 5 Autumn Lane, Gloucester, MA, as submitted to the City Clerk on November 12, 2014, and on the Zoning Board of Appeals Decision dated November 4, 2014 for conversion to a two-family residential building.

→ **For Council Vote:**

1. Election of Council Vice President

Council President McGeary suggested the rules be followed as the Council did for filling a Councilor position. He explained that a Councilor must be nominated and seconded by a member of the Council and that the successful candidate would need to receive five votes. With the absence of Councilor LeBlanc, reaching a five vote majority may be difficult with eight Councilors present but that he would like to proceed to start the voting.

Councilor Verga, noting that the Council was in receipt of an email from Councilor Steven LeBlanc asking this matter be postponed until he could be present, moved that the election of a Council Vice President matter be held at the next Council meeting, and was seconded by **Councilor Cox**. She said she would appreciate more time to speak with the candidates which she hadn't done yet in belief the matter would have been postponed because of Councilor LeBlanc's absence this evening.

Councilors Lundberg and Ciolino also voiced their endorsement to continue the matter of the vote for a Council Vice President to the Jan. 27 Council meeting.

This matter is continued to January 27, 2015.

Unfinished Business: None.

Individual Councilor's Discussion including Reports by Appointed Councilors to Committees: None.

Councilors' Requests to the Mayor:

Councilor Stewart said that the plan for a power outage for 8 hours on January 20 for Annisquam by National Grid has been cancelled and will be rescheduled for a warmer day at a later date. **Council President McGeary** commended the work of Councilor Stewart in working with National Grid to postpone a planned power outage in order to complete necessary infrastructure work in that area.

Councilor Cox noted there is a Tourism Commission meeting on Thursday, Jan. 15 at 6 p.m., 3rd fl. Conference Room at City Hall, and on Tuesday, Jan. 20 at 6 p.m. when at that time the Commission will take up the matter of the Phase 2 marketing strategy five-year plan; the Elks are hosting a reception for returning veterans Saturday, Jan. 17 from 12 noon to 3 p.m.; Action has open house on Thursday, Jan. 29, 4:00 to 6:00 p.m. to showcase their adult education and job training programs.

Councilor Lundberg said on Thursday, Jan. 22 he will be attending in his capacity as a hospital board member a retirement party for Dennis Conroy, President of Northeast Hospital Corporation. He added in his capacity as a City Councilor would convey the city's best wishes to Mr. Conroy.

Councilor Ciolino expressed his pleasure to be back with the Council. He welcomed back Councilor Whynott from his three week vacation in Florida.

Council President McGeary reminded the public of the joint meeting of the Council and Fisheries Commission on Friday, Jan. 16 at 1 p.m. in Kyrouz Auditorium on the future of the fisheries and what can be looked forward to and be hoped for as a city, harbor and as industries. There will also be a joint meeting of the School Committee and City Council on Thursday, Jan. 22 at 7 p.m. likely to take place at Gloucester High School Library, which has yet to be confirmed, to talk about common issues including a presentation on the high level view of options for the city's elementary schools. He encouraged the Council to submit matters they wish to add to that agenda.